

EXTENSIONS OF REMARKS

TRIBUTE TO KONAWAENA HIGH
SCHOOL'S WORLD SOLAR CHAL-
LENGE TEAM

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. MINK. Mr. Speaker, on October 27 of last year I rose to take note of the hard work and achievement of the students of Konawaena High School on the island of Hawaii that was about to compete in the World Solar Challenge, a race of solar-powered vehicles covering approximately 1,875 miles from Darwin to Adelaide across Australia's outback midsection from north to south. The race was held November 11-22 of last year. The Konawaena High School team, through hard work, creativity, and persistence, won the right to compete in the World Solar Challenge by winning the Tour of the Sun competition among five Hawaii high schools and one intermediate school held last summer at Kailua-Kona on the island of Hawaii.

Today, Mr. Speaker, I rise to update this House, to applaud the Konawaena High School solar car team for achieving what I consider to be the truly remarkable, and to thank those who made such an achievement possible.

After racking up 96 hours on the road and a nip and tuck battle throughout the 11-day race with a competing Australian high school, Hawaii's Konawaena High School team finished first in the race's high school division and 18th out of 38 vehicles overall.

This event was much more than a group of high school teams competing in a solar-powered vehicle race. This was a truly international event. It included entries from, or backed by, some of the world's largest automakers—like Honda and General Motors—some of the United States' most prestigious universities, and several large multinational corporations which had millions of dollars tied up in their vehicles. In short, Mr. Speaker, the students on the Konawaena High School World Solar Challenge team was pitted against some of the best engineering brains and best financed teams in the world. But that fact did not faze our team from Hawaii. What the Konawaena team lacked in financing it made up with creativity, ingenuity, hard work, and persistence.

The World Solar Challenge was a gruelling event for any vehicle, much less one designed and built by high school students with limited resources. Let me describe a little of what achieving such an honor involved. Imagine traveling on Australia's only cross-continental highway 9 hours a day through some of the most isolated and desolate regions of the world, stopping to camp in the barren outback each night. Imagine fierce headwinds, 106-degree temperatures, flies, heavy clouds and

traffic adding to the difficulties for Konawaena High School's 320-pound car, named "Ka La Ikaika" or "The Powerful Sun."

Added to the hindrances provided by Mother Nature were mechanical challenges presented to the students. Let me take just a moment to cite just one example of how the students learned life's valuable lesson that success doesn't come without overcoming obstacles. It was during the time trials to determine starting positions in the World Solar Challenge race itself. As team after team completed the speed portion of the trials—brake and stability tests were to follow—the Konawaena pit crew worked under a scorching sun on trackside to repair motor and gear problems on their car. Had repairs not been completed by the late afternoon deadline, the car would have been eliminated from the race. But to the relief of everyone, the repairs were made in time and the Ka La Ikaika glided smoothly, silent, and swiftly across the starting line and into the speedway's measured portion. However, that wasn't the end of the team's obstacles to overcome. Motor and gear problems presented a constant challenge to the team throughout the race. Other mishaps included at least six flat tires, a shattered front axle, a minor fire in the cockpit, stripped gears, and a loose wire leading to a multitude of short circuits.

But there were triumphs too. For example, on the race's second day, Konawaena started out in last place but in the space of 6 hours "the Powerful Sun" had left 13 cars in its wake.

Mr. Speaker, every citizen of Hawaii and each Member of this body can also be proud of how the students conducted themselves during their trip to Australia. I would challenge any Member to cite a group that has conducted itself with more maturity and poise as ambassadors from their home State and their home country under sometimes very trying circumstances. The team received worldwide attention from more than 250 journalists from 12 countries. Wearing leis and aloha shirts, the team was always the center of attraction at the many prerace and postrace functions. Their behavior and deportment was flawless. I do not overstate the case when I say, Mr. Speaker, that the students' behavior brought great honor to themselves, their community, their State and to this country.

Of course congratulations must first be given the members of the Konawaena High School solar car team making the trip to Australia. They are: Dominique Amae, Melita Bunghanoy, Tammy Delatorre, Wayne Fukunaga, Jr., Adrienne Grace, Erik Johnson, Denet Lewis, Leslie Lowe, Mandy McCasland, John Orr, Yuni Politz, and Sylvia Silva.

The Konawaena High School solar car team members also invited students from other high schools to make the trip to Australia. They were Greg Stephen-Hassard of Hawaii Pre-

paratory Academy and Ann Tabieros of Farrington High School.

Mr. Speaker, tremendous congratulations and thanks goes to William Woerner, Konawaena High School physics teacher and head adviser of the school's solar car team. Assistant adviser is Konawaena High School teacher, Geoffrey Van Kirk. Appreciation must also go to Konawaena High School principal, Mae Yamasaki, whose overall support and encouragement played a key role in this tremendous effort. Also providing important overall encouragement and support was Hawaii Superintendent of Schools Charles Toguchi.

Performing yeoman's work in generating publicity, coordinating news coverage while the team was in Australia, and playing an important role in raising funds so the team and the Powerful Sun could make the trip was Herb Squires.

Other adults serving as sponsors, chaperones, and support team members were: Mary Beth Hilburn, a teacher at Konawaena High School; Paul Hilburn; Wayne Fukunaga, Sr.—father of team member Wayne Fukunaga; Stephen Murata, owner of a welding company, who contributed mightily to the hard task of keeping the car in running order: Dave Rezachek; Marguerite Rezachek; Summer Kirn; Budd Steinhilber; and Michele Stephen-Hassard—mother of Greg Stephen-Hassard.

Thanks should also go to the Hawaii Department of Business and Economic Development's (DBED) Energy Division for sponsoring the Ka'alehu La—Tour of the Sun—Inter-scholastic Photovoltaic-Powered Vehicle Competition in Hawaii. This program, believed to be the only one of its kind in the country, in a sense laid the foundation from which the Konawaena High School World Solar Challenge team built its success. The program encourages high school students across Hawaii to build and design solar-powered vehicles with the overall goal of providing multienergy education to Hawaii's young people. DBED provided technical assistance and the seed money with a \$12,000 grant to each participating school to apply toward designing and building a solar-powered vehicle.

As I said earlier, the Konawaena solar car team competed with five other schools last July to win the Tour of the Sun competition, which gave the team the right to represent Hawaii in Australia. The other schools competing in last summer's Tour of the Sun competition were Hawaii Preparatory Academy and Na'alehu Intermediate School from the island of Hawaii and Pearl City High School, Roosevelt High School, and Farrington High School from the island of Oahu. The students on these other schools' teams had at least an indirect hand in the success of the Konawaena team.

Credit should also go to Jonathan Tennyson, a fan and designer of solar-powered vehicles from the island of Hawaii. It was largely

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

his idea for a solar-powered car competition in my State in the first place. That idea is what led to the worldwide honor and acclaim that has been accorded the Konawaena High School World Solar Challenge Team.

The late Tokutaro Anea, who passed away in April of last year, should also be recognized. He had been the Konawaena solar-powered car team's head technical adviser and mentor.

Mr. Speaker, I wish time would permit me to list all those who played a role in the success of the Konawaena High School World Solar Challenge Team. There were hundreds and hundreds of people who donated their time and money or both. There is also a long list of corporate sponsors to whom is owed a tremendous debt of gratitude. Among those on the list of corporate sponsors are: Continental Airlines; Aloha Airlines; Hawaiian Airlines; Kona Kai Coffee Farm; Big Island Welding; West Hawaii Today; The Hawaii Tribune-Herald; South Computer Center; B.&L. Bike; the Kona-Kailua Rotary Club; Hawaii Visitors Bureau; Wes Thomas & Associates; Dorothy's Secretarial Service; Dorothy Cabe, owner; HPM Building Supplies; Mr. Vern Berry, general manager; Matson Lines; and Hilton Hotels. These firms and all the others did such things as donate thousands of dollars' worth of in-kind contributions.

The individuals or organizations that time does not permit me to list at this time should in no way be interpreted to mean that their contribution was not every bit as important. It would not be possible for me to praise the Konawaena solar-powered car team today were it not for the contribution made by each and every contributor and/or volunteer.

In closing, Mr. Speaker, let me say that this event was more than an event to test the ingenuity and perseverance of a group of high school students, although that in itself is important. The World Solar Challenge event bodes well for the future of this country and of the world when you consider the fact that the Konawaena solar car team drove its solar-powered vehicle nearly 1,900 miles across some of the toughest country in the world using the equivalent of only 1½ gallons of gasoline.

Mr. Speaker, I am sure that you and our colleagues in the U.S. House of Representatives join me in expressing sincere congratulations to the Konawaena High School World Solar Challenge team and all those who made its success possible.

SUPPORT FOR H.R. 5

HON. CHARLES A. HAYES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. HAYES of Illinois. Mr. Speaker, one of the most important pieces of legislation introduced in this session is H.R. 5. The bill will prevent the hiring of permanent strikebreakers and make it illegal to offer preferential benefits to strikers who cross picket lines.

The betterment of living and working conditions is at the heart of this legislation. The history of this country and other nations is full of

examples where labor played an instrumental role in social progress. As a former union officer who worked his way up through the ranks, I am proud of that history; the 8-hour day, child labor laws, workplace safety, and civil rights are some of the ways unions advanced the dignity of labor.

The freedom of workers to voluntarily form unions and advance these causes—without threats or intimidation—is a fundamental right for all Americans. Fortunately, most of management remains committed to a fair, collective-bargaining process where both sides try to reach common agreement. The vast majority of negotiations reach successful resolution.

However, the last 10 years have produced a new breed of management which is dedicated to destroying organized labor. This new breed does not care about the devastating effects of permanent strikebreakers on workers' families or the surrounding community. One need only look at the misery inflicted by Eastern Airlines: communities torn apart, families ruined, and neighbor turned against neighbor. No one won; and Eastern, a great airline, is a footnote in history.

Let us end this tragic chapter in a positive fashion by preventing its repetition in the future. I urge my colleagues to look at H.R. 5. It is a bill with positive effects on the community and family.

TRIBUTE TO LT. COL. JACK C. ZORKA

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. KOLTER. Mr. Speaker, today I rise before the House of Representatives to honor and pay very special tribute to Lt. Col. Jack C. Zorka, U.S. Air Force, retired, who will be honored and inducted into the Michael Kosar American Legion Post 778 Military Hall of Fame, Lyndora, PA, in my Fourth Congressional District on March 9, 1991.

Lieutenant Colonel Zorka was born on October 22, 1915 and is a life-long resident of Lyndora, PA. He attended Lyndora Public School and later Butler High School. Lieutenant Colonel Zorka received his college education from George Washington University and later attended a year-long special Air Force training school at the University of Pittsburgh.

Lieutenant Colonel Zorka enlisted in the regular Army in 1936 and was assigned to 1st Coast Artillery at Fort Sherman in the Panama Canal Zone. He entered Officers' Candidate School and graduated in October 1942, commissioned as a second lieutenant, along with other members: Clark Gable, Bill Holden, Bruce Cabot, Ronald Coleman, and baseball player Hank Greenberg.

He served in various assignments and was directly involved in the final inspection and acceptance of Air Force airplane assemblies built by Chrysler Corp. for the B-17, B-29, and B-26.

Discharged in 1946 as a captain, Lieutenant Colonel Zorka was later commissioned in the regular Army and assigned to the 20th Fighter Wing, Shaw AFB, SC.

He later served in Japan with the Occupation Forces and also in Korea during the war from 1950 to 1952. His other assignments were at Mitchel AFB, New York; the University of Pittsburgh; the Pentagon; 20th Fighter Wing, Wethersfield, England; and Warner Robins AFB, GA, where he retired as Lieutenant Colonel in 1967.

He was awarded the following decorations: Air Force Commendation Medal, Bronze Star Medal, American Defense Medal, Good Conduct Medal, World War II Victory Medal, Army Occupation Medal, Republic of Korea Service Medal, U.N. Service Medal, and National Defense Medal.

After many years of distinguished service, Lieutenant Colonel Zorka has recently moved to the Military Retirement Center in San Antonio, TX.

Mr. Speaker, it is with great pride that I address the noted accomplishments and distinguished service of Lt. Col. Jack A. Zorka today before the Congress. I join with my colleagues in wishing Mr. Zorka all the best that retirement has to offer, now that he has so unselfishly served his Nation, the just cause of democracy and the peace of the free world.

MILDRED L. BOYCE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. TOWNS. Mr. Speaker, I am proud today to recognize an individual who has played a key role in increasing the growth and improvement of the Brooklyn education system, Mildred L. Boyce.

A native of Brooklyn, Ms. Boyce herself is a product of the educational system for which she has worked. She received her associate degree (1963), B.A. in humanities (1965), M.S. in education (1972), and an advanced certificate in administration and supervision (1975) all from Brooklyn College.

Upon earning her B.A., she began her career as an educator. Mildred Boyce had a great interest in education since the age of 7, when she conducted her own school by making paper dolls as students. She really enjoyed the idea that she was helping all of her students to learn. This sparked her desire to choose education as a career. From 1965 to 1977, she taught in P.S. 106. Here, she worked in various positions such as teacher, master teacher, and teacher of common branches.

In 1977, she began working at I.S. 383 as an English teacher. For a brief time, she left the classroom to work as acting interim assistant principal. This gave her the opportunity to see the distinctions between two very important positions in the education field. As a teacher she could plan her duties in detail. For example, as an English teacher she developed a syllabus for each grade to ensure that all the aspects of grammar were covered properly. However, the duties of a principal were so numerous that it was difficult to plan in great detail. Therefore, Boyce handled the difference by planning effectively in order to react when things occurred.

She continued as a teacher until 1984, when she became assistant principal of I.S. 383. She used her previous experience as interim assistant principal to prepare her for this promotion. Mildred's job included overseeing teachers, students, and methods of teaching. This was a different way for her to influence the quality of education of an even greater number of students.

She worked successfully as an assistant principal until 1989, when she was promoted to the position of principal of I.S. 383 Phillippa Schuyler Middle School for the Gifted and Talented. She is presently working in this position.

One of Ms. Boyce's long-term goals for I.S. 383 is to make the school No. 1 in New York City. Presently the school is ranked No. 3. In addition, she is working to motivate students who have potential to translate this potential to positive achievements.

In addition to her work as an educator, she has made personal contributions to the community. Mildred is active in several organizations that help improve educational quality. She has had such an extensive involvement in community organizations that she is frequently honored for her work. For instance, the 54th Democratic Club honored Mildred for her contributions in the field of education.

In the words of Ms. Boyce, her greatest joy is having her students come back after many years to say, "You have made a difference in my life." It is individuals like Mildred Boyce who have chosen careers in education that benefit the entire Nation. Her work within the educational system and the community are very necessary and do make a difference in everyone's life.

THE CHILDREN'S AND COMMUNITIES' MENTAL HEALTH SYSTEMS IMPROVEMENT ACT OF 1991

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. MILLER of California. Mr. Speaker, today I am pleased to reintroduce the Children's and Communities' Mental Health Systems Improvement Act of 1991, with the support of more than 25 of our colleagues. And, I especially want to thank the National Mental Health Association for its leadership in the development of this legislation on behalf of children and youth with mental health problems.

The bill addresses the urgent need for comprehensive mental health services for children and youth with serious emotional disturbances. According to the Office of Technology Assessment, as many as 7.5 million American children have a diagnosable mental disorder and nearly half are deemed severely disordered or handicapped by their mental illness. In the course of a year, more than 100,000 children are placed in residential care facilities for mental health problems, and about 2 million receive mental health treatment in outpatient settings. Sadly, these children constitute only a fraction of the number believed to suffer from a mental health problem severe enough to require treatment.

The state of children's mental health services today is a national disgrace. Across the country, local mental health clinics are overwhelmed. Only the most violent and disturbed youth have a chance to get help. In some communities, children are placed on long waiting lists or in adult psychiatric wards because appropriate services are unavailable.

In the last Congress, the Select Committee on Children, Youth, and Families, issued a major study of children in out-of-home placement in the child welfare, juvenile justice, and mental health systems. This assessment revealed that the number of children in placement in all systems has risen dramatically over the last several years, and that children with severe emotional problems face a desperate lack of appropriate attention and services.

While the number of children in much more costly and inappropriate care has increased, effective community- and family-based interventions remain few and undersupported.

The evidence continues to grow that children can effectively be served in their own communities, and be maintained with their families, at far lower cost than residential treatment. A model program in Ventura County, CA, that provides well-coordinated, multi-agency community services, has shown the effectiveness of such an approach in reducing the need for hospitalization. The project offset at least 66 percent of its cost by reducing other public agency costs. At the same time, it improved a variety of client outcomes including increased grade level functioning, fewer referrals to special schools, and a reduction in juvenile justice recidivism.

The bill we are introducing today provides grants to States on a matching basis to establish comprehensive systems of care at the local level to children and youth under age 22 with severe emotional disturbances. Services include diagnoses and evaluation, 24-hour emergency services, intensive home-based services, day treatment, respite care, therapeutic foster care, and transitional services. The services must respect special cultural needs, and may be provided by public or private nonprofit entities. Local child-serving systems of care will coordinate the provision of services and establish an office for admitting and following children in care.

This legislation builds on the growing record of success demonstrated by community-based services for children. It adopts a comprehensive, coordinated continuum of care that will operate in local communities where the children and families live and where their individual needs can be addressed. I look forward to our deliberations on this far-reaching measure and urge my colleagues to join me in its support.

The following provides a summary of the proposal:

SUMMARY OF THE CHILDREN'S AND COMMUNITIES' MENTAL HEALTH SYSTEMS IMPROVEMENT ACT OF 1991

This initiative amends title XIX of the Public Health Service Act to establish a program of grants to States to provide community-based, comprehensive mental health services to children with serious emotional disturbance. Grants would be made to States by the Secretary of the Department of Health and Human Services, acting through

the National Institute of Mental Health. For the first fiscal year of the program (fiscal year 1992), the Secretary may make a maximum of 10 grants to States.

Under this Act, States must use the funds to establish and operate one or more systems of care for making mental health services available to children and adolescents under age 22 with a serious emotional disorder, a serious behavioral disorder, or a serious mental disorder. Fees for services will be assessed on a sliding scale based on family income, and children whose family income is equal to or less than 100 percent of the Federal poverty level will receive services at no cost.

REQUIRED SERVICES

The system of care developed under the grant must provide: diagnostic and evaluation services; outpatient services including individual, group and family counseling services, professional consultation, and review and management of medications; emergency services; intensive home-based services when the child is at imminent risk of out-of-home placement; intensive day treatment services; and respite care. Other required services include: therapeutic foster care, in-home services in foster family homes and small group homes, as well as assistance to a child in making the transition from the form of services received as a child to services to be received as an adult.

REQUIRED COLLABORATION

In addition, the system of care must enter into a memorandum of understanding with providers of other services which children may need including medical, educational, vocational counseling and rehabilitation services, and protection and advocacy services. Although funds under this bill cannot be used to pay for these other services, such services must be available to covered children as needed. Case management services must also be available to each child admitted to the system.

FUNDING

Funds for this State grant program are authorized at \$100 million for fiscal year 1992, \$200 million for fiscal year 1993, and \$300 million for fiscal year 1994 and thereafter. Of the amount appropriated, \$3 million is to be available for technical assistance. States receiving grants must match at least \$1 from non-Federal sources for every \$3 of Federal funds provided by the grant.

INTRODUCTION OF THE PLATORO RESERVOIR BILL

HON. BEN NIGHTHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. CAMPBELL of Colorado. Mr. Speaker, I would like to revise and extend my remarks.

I am introducing a bill, cosponsored by members of the Colorado congressional delegation, which provides for the transfer of the Platoro Reservoir to the local irrigation district and provides for the enhancement of fish habitat in the Conejos River in southern Colorado.

The Platoro Reservoir was built in 1951 by the Bureau of Reclamation as a part of the San Luis Valley Irrigation Project. Because of the administration of the interstate Rio Grande compact, the reservoir has never been used.

The Conejos District will make an advance lump-sum payment of \$450,000 to the Federal

Government for the right to operate this Federal project. This sum represents the present value of the district's future obligations under its repayment contract, taking into account the Federal savings in operation and maintenance costs because the district, will be responsible for operating, maintaining, and repairing the dam. The district believes that after assuming the risk and responsibility for making this irrigation project work, they can implement an aggressive local water management program to realize the project's irrigation benefits.

This bill is also intended to end a long-standing environmental problem caused by the original construction of the reservoir; namely, maintaining satisfactory instream flows in the Conejos River for fish and wildlife.

The Platoro was designed in the 1930's and 1940's; it was built in 1951—all before NEPA or the Fish and Wildlife Coordination Act. No instream flows were provided below the dam. This bill requires the Conejos District to provide instream flows by releasing water that would have been used for irrigation. This reduced yield for irrigation will be compensated by the further reduction in the lump-sum payment price.

The State of Colorado will manage the water rights protecting these released waters. Because of the State's provision of low-interest financing to the Conejos District, the result is a three-way shared responsibility to provide for the enhancement of the Conejos' fish habitat.

I am also delighted that the ground work is being laid for negotiations to designate the Conejos River as wild and scenic.

As you know, the Forest Service has completed an eligibility study and determined that only 35 cfs was required to maintain a wild and scenic river, and our bill mandates a minimum stream flow of 40 cfs, with at least an additional 5 cfs during the winter. This makes the Conejos a *de facto* wild and scenic river.

For nearly 40 years the water in Platoro Reservoir has been wasted because water simply fills the reservoir, then is released so that it does not spill over the top. This is a crime because the Conejos Valley is one of the poorest in the country with unemployment averaging around 20 percent. This bill will allow the valley's farmers to use the water to grow crops and allow its residents to use the fish and wildlife enhancement provisions to attract visitors to the region. It is seen as a key economic development issue and the Colorado General Assembly has overwhelmingly provided funding to the district in the form of a loan package to allow this transfer to go forward.

The Conejos District is ready to meet the challenge of being directly responsible for the success of the project. This bill gives the district the opportunity to free itself from Federal bureaucratic heel-dragging that has made the operation of the reservoir nearly impossible.

This bill deserves to be judged on its merits. The local water users are willing to take a Federal irrigation project which has not worked and assume responsibility for its success. This bill makes good sense for both the Federal Government and the Conejos District and I urge you to support it.

A TRIBUTE TO ROBERT C. WINTERS

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. ROUKEMA. Mr. Speaker, Saturday, March 2, 1991, the friends and supporters of the Northwest Bergen/Ramapo Valley Chapter, the Essex Chapter and the Central Bergen Chapter of the American Red Cross will pause to salute the volunteers that have built these chapters into the effective organizations that they are today. I would like to call to the attention of my colleagues one of these honorees, Robert C. Winters.

Bob Winters has had a most successful career in the insurance industry. Since joining the Prudential Insurance Co. of America in 1953, Bob has risen to the post of chairman and chief executive officer. While pursuing his career, however, Bob has endeavored to dedicate time to both his family and his community.

In addition to his service to the Red Cross, Bob finds time to serve on the board of both the American Council of Life Insurance and the United Way of Tristate serving as the chairman of the tristate campaign for 1989. Bob is also a member of the New Jersey State Chamber of Commerce and has served as chairman of the Greater Newark Chamber of Commerce.

Mr. Speaker, success comes in many ways. But it is sweetest when it comes with the approval, the applause, the rewards freely given by ones peers. And that is why the supporters of the Red Cross in northern New Jersey will gather this week to recognize Bob Winters. I ask my colleagues in the House to join in that recognition.

CAL STATE HAYWARD CELEBRATES ITS INAUGURATION WEEK

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. STARK. Mr. Speaker, during the week of May 13-17, California State University Hayward, in California's Ninth Congressional District, will hold its inauguration week. This week will celebrate the investiture of Cal State Hayward's third president, Dr. Norma Rees. Dr. Rees was selected as Cal State Hayward's first woman president out of a field of 150 applicants by the State University system trustees after a national search that began in October 1989.

Cal State Hayward was established in 1957 and is part of the 20 campus California State University system. The university has a budget of \$60 million and a curriculum of 37 major fields of study with 22 masters degree programs. The Hayward campus currently has 13,000 students and 650 faculty members; 83 percent of the student body is drawn from public and private high schools in the surrounding Alameda and Contra Costa Counties.

Dr. Rees comes to Cal State Hayward from the Massachusetts Board of Higher Education. She received her B.A. in speech pathology and audiology from Queens College, her master's in speech pathology and audiology from Brooklyn College and her Ph.D., in speech from New York University.

Dr. Rees is a veteran academic administrator and has held numerous professional positions including, most recently, vice chancellor for academic affairs, policy, and planning, Massachusetts Board of Regents of Higher Education. She held that position from 1987 to 1990. She has also held the position of special assistant to the president at the University of Wisconsin from 1986 to 1987, acting chancellor of the University of Wisconsin-Milwaukee from 1975 to 1986, and vice chancellor for academic affairs, University of Wisconsin-Milwaukee. From 1982 to 1987, she was a professor at the University of Wisconsin and from 1953 to 1982 she held professorships at a number of other colleges including Hunter College and Queens College. During this time she also served as the dean of Graduate Studies at CUNY.

Dr. Rees has also served in a number of professional societies and community groups including; the American Association for Higher Education, the American Speech and Hearing Association, the American Association of University Professors, the board of directors of the American Red Cross-Greater Milwaukee Chapter, the board of directors, the Milwaukee YWCA, the board of directors of the council on postsecondary accreditation.

She has received many honors, among them: Phi Beta Kappa, 1951; Fellow of the American Speech and Hearing Association in 1971; Who's Who in America and, Who's Who in American Women. In 1977, she received honors from the New York State Speech and Hearing Association, and in 1986, she received honors from the American Speech-Language-Hearing Association.

Dr. Rees has published dozens of articles including: "Communication Skills: Voice and Pronunciation", "The Role of Babbling in Language Acquisitions," "A Talent for Language," "The Speech Pathologist and the Reading Process," "Development of a First Language in a Deaf-Blind Adult," and "Implication of Vowel and Diphthong Distortion."

One of Dr. Rees' priorities as president is to boost enrollment at Cal State Hayward. Currently, enrollment is about half of its capacity. In September 1990, the Hayward campus enrollment was 12,825 students—just about half of the 25,000 that the school was designed to accommodate. Because a university study of Alameda and Contra Costa Counties predicts that the number of people in the 15 to 29 age group will decline by 30,000 by the year 2000, despite a 26-percent growth in the population, Dr. Rees also plans to reach out to nontraditional students.

Mr. Speaker, I rise today to congratulate Cal State Hayward on its inauguration week and to wish President Rees the best of luck in her new position.

THE FOURTH ANNUAL CONFERENCE ON FEDERAL QUALITY IMPROVEMENT

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. RITTER. Mr. Speaker, like their counterparts in the private sector, executives, managers, and employees in the Federal Government have awakened to the need to do business in a new way—they have made a commitment to total quality management [TQM]. The 1990's quest for quality in the Federal Government aims to provide more effective delivery of all services, improve overall productivity, and, ultimately, assure more satisfied customers.

To help Federal managers stay abreast of the latest TQM methods and applications, the President's Council on Management Improvement [PCMI] and the Federal Quality Institute [FQI] are cosponsoring the fourth annual Conference on Federal Quality Improvement. The conference will be held at the Grand Hyatt Hotel in Washington, DC, May 29–31, 1991.

The theme of the 1991 conference is "Leading for High Performance in the 1990's." An ambitious agenda will focus on TQM implementation in both the public and private sectors. The Federal Government's high quality organizations will be honored at the conference and they will share their award winning quality approaches with conference participants.

Quality could have very positive results for Federal employees and taxpayers alike. Billions of dollars and better service is at stake. Just look at the impact of quality on performance of our military in the Persian Gulf. As Vice President QUAYLE reminded the attendees at last year's conference:

... We must establish a firm commitment to Total Quality Management and the continuous quality improvement principles. Taxpayers have every right to expect and demand high quality—and that is what we must deliver.

I personally believe in the FQI's commitment to promote the quality philosophy throughout the country. The PCMI and the Federal executive boards [FEB's] will also sponsor regional quality conferences throughout 1991 in the following locations: Kansas City, New Orleans, Dallas, Denver, Seattle, and Philadelphia.

For additional information about: First, the TQM effort within the Federal Government; second, the national conference; or third, any of the regional conferences, contact Karen Norrell, Federal Quality Institute, P.O. Box 99, Washington, DC 20044-0099 or 202-376-3747.

PERICLES CRISS: BUILT RESPECT FOR AMERICA

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. PICKLE. Mr. Speaker, it is ironic that the death of one of the 10th District's most re-

spected citizens, Pericles Criss of Austin, TX, would focus attention on the fact that the American dream and the American promise is alive and well.

Pericles was a Greek immigrant from Cyprus who came to America after World War II. Landing on Ellis Island, he was filled with hope to better himself and better his life. He more than succeeded, in that in the more than 40 years he lived in his adopted home he left a legacy of serving the common good in my central Texas community and inspiring several generations of Americans, Greek nationals, and Greek-Americans.

After he had worked his way through the University of Texas and established himself in various business endeavors, Pericles dedicated himself to a life-long task of helping others. In his early years, Pericles served up encouragement, support, and counsel to a stream of young Greeks and American students to pursue their education and to contribute back something to society. Through his sponsorship, many students came to Austin, where they found Pericles, who had helpful advice and cheerful and friendly meals, and more often than not a few dollars to tide them over. The generation of students graduated from many of Texas' colleges and universities has gone on to produce successful artists, lawyers, economists, teachers, and engineers.

A man with a mellow sense of humor, Pericles had a fostering way that affected all those who came in contact with him. He was never too busy to do a favor for those he knew well and for those he hardly knew.

In the years before his death, Pericles was active in the arts—supporting community theater and civic events with the same sincere manner that he gave of himself to nearly everything. His life is an example to all of us that it takes a special person to rekindle the vision of our great Nation as a land of opportunity and promise. His death is a somber reminder that there are still those special people among us who leave this world in better shape than they found it because of their unique contributions.

QUESTIONS AND ANSWERS ON RTC BURDEN-SHARING AMENDMENT

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. KANJORSKI. Mr. Speaker, on Tuesday, February 26, 1991, a bipartisan majority of the House Banking Committee voted 28 to 16 to pass my burdensharing amendment to the RTC funding bill. Due to the importance of this issue to American taxpayers who are sick and tired of paying for the mistakes of others, I would like to provide my colleagues with the answers to some of the most commonly asked questions about my burdensharing amendment.

Question. How would the amendment work?

Answer. States which have been responsible for "excessive costs" due to the clean-up of their state-chartered thrifts would pay a federal deposit insurance premium if the

state wishes to have federal deposit insurance for its state-chartered institutions.

Question. What are "excessive costs"?

Answer. "Excessive costs" are when a state's share of clean-up costs are more than double its share of total state-chartered thrift deposits in the base year.

Example: If a state's share of total state-chartered thrift deposits is 5 percent, it does not have any excessive costs unless its share of the clean-up is more than 10 percent.

Question. Will states be responsible for the cost of cleaning-up federally-chartered thrifts?

Answer. No, that cost is paid exclusively by federal taxpayers.

Question. What proportion of the total clean-up is the result of failures of state-chartered thrifts?

Answer. State-chartered thrifts are responsible for 45 percent of total nationwide clean-up costs to date.

Question. Will states be responsible for the full cost of cleaning-up their state-chartered thrifts?

Answer. No. Since the "dual banking" system is a partnership, the amendment provides for cost-sharing on terms that are very beneficial to the states. The federal government will continue to pay 100 percent of clean-up costs up to twice a state's share of total state-chartered thrift deposits. The federal government will also pay 75 percent of the amount above that threshold. States pay just 25 percent of the amount above the "excess cost" threshold.

Example: A state with 5 percent of total state-chartered thrift deposits pays nothing until the cost of cleaning-up its state-chartered thrifts exceeds 10 percent of the total nationwide clean-up costs. It then pays 25 percent of costs above that amount. If the state is responsible for 18 percent of the total national costs, it would thus pay 2 percent [18 percent minus (2 x 5%) times .25=2%].

Question. Why should the states be responsible for any part of the cost of the clean-up?

Answer. Because some states were irresponsible in issuing charters, granted overly broad and risky powers, and were lax in both their supervision and examination. It is primarily these states where most of the failures occurred. They are the ones who would have to pay under this amendment.

Question. Is there a precedent for this kind of payment?

Answer. Yes, when states run out of unemployment insurance funds they borrow additional funds from the federal government. Employers in the state must pay a special unemployment insurance surcharge until the borrowed funds are repaid. In this case states are penalized even though their policies and actions may not have contributed to the unemployment problem in any way. In the S&L case, by contrast, we know that state policies frequently contributed to the problem, yet the states are getting the functional equivalent of a free lunch.

Question. Can a state elect not to pay its state deposit insurance premium?

Answer. Yes, participation is voluntary. However, if a state elects not to pay, its state-chartered institutions will lose their federal deposit insurance. The state can then provide its own deposit insurance, or its state-chartered institutions can convert to federal charters.

Question. Can consumers lose access to federally-insured institutions?

Answer. No, because there are federally chartered, federally insured institutions in all 50 states.

Question. Isn't this "Texas bashing?"

Answer. No. Texas is treated like all other states. If Texas pays more under this amendment it is simply a reflection of its contribution to the problem.

TRUST RELATIONSHIP FOR NATIVE HAWAIIANS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. MINK. Mr. Speaker, I rise today to introduce legislation which asks the Congress on behalf of the people of the United States to apologize for the fundamental injustice committed to the native Hawaiians by the forcible overthrow of the Kingdom of Hawaii in 1893.

History records the fact that the United States, through its official representatives, participated in activities, including armed intervention, in the overthrow of the Kingdom of Hawaii on January 7, 1893. The United States violated the sovereignty of the Kingdom of Hawaii and the principles of international law regarding the internal affairs of another nation. By the annexation of the Republic of Hawaii in 1896, the United States took ownership and control of over 2 million acres previously belonging to the Republic and Kingdom of Hawaii.

Congress needs to understand this history of Hawaii. This resolution emphasizes the existence of a special trust relationship between the U.S. Government and native Hawaiians because of this history. This trust requires acceptance of responsibility by the Congress for the well-being of native Hawaiians and for the restoration of their lands.

The 200,000 native Hawaiians living in Hawaii have waited too long for recognition of their special suffering and of their special expectation that the trust responsibility yield active response to their needs for return of their lands, for health and education programs which are dedicated to their communities.

ENACT FEDERAL FAMILY LEAVE BILL

HON. CHARLES A. HAYES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. HAYES of Illinois. Mr. Speaker, recently Francine D. Blau and a colleague from the University of Illinois completed an extensive study on the effects of parental leave on young children. Based on her results, the Chicago Sun-Times wrote the following editorial in support of family and medical leave—passage of which is long overdue:

ENACT FEDERAL FAMILY LEAVE BILL

Mothers who work outside the home have at least two things in common when their kids are preschoolers—conflict and guilt.

A recent University of Illinois study may help reassure parents who have to work when their children are still infants. It also should make Congress feel guilty for not resurrecting the family leave bill that was vetoed last year by President Bush.

Although there have been numerous studies about the effects of working mothers on their children, they've reached vastly different conclusions about home-reared and day-care kids. Their test scores, their levels of aggression and independence, their incidence of illness and their over-all emotional development have been examined, argued and worried about.

What's different about the U. of I. study by labor economist Francine D. Blau is that it distinguishes the effects of a mother's working in the first year and in subsequent years of a child's life.

When Blau and her fellow researcher looked at children whose mothers worked throughout the infant's first year, they found those children scored about 6 percent lower than children whose mothers hadn't worked. The research involved a picture vocabulary test that was given to 3- and 4-year-old children.

But when they looked at mothers who were home the first year after giving birth but worked the second and third years, they found their children scored about 4.5 percent higher than those whose mothers hadn't worked during those two years.

Blau says the results suggest that as children get older they benefit from the stimulation of day care but that a mother's care is ideal for a child's first year.

Only one thing is missing. Many employers don't provide maternity leave as a benefit. So for many women, it's often a case of having to return to work after giving birth than wanting to. In 1988, 52 percent of all women with 1-year-old or younger infants were in the labor force.

In the family leave bill passed by Congress last year and then vetoed, firms that employ 50 or more people would be required to give unpaid time off of up to 12 weeks for births, adoptions or family medical emergencies. Congress should try again this year.

CONSOLIDATED EDISON SALUTES BLACK HISTORY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. TOWNS. Mr. Speaker, today is the last day of February and marks the close of Black History Month in 1991. As chairman of the Congressional Black Caucus, I have had the opportunity to participate in a number of wonderful programs and events that highlight the contributions and successes of African-Americans from all walks of life. Also during this month, I have been reminded of the many challenges that face the black community here in the United States. I am confident that those challenges will be met and that obstacles will be overcome, and I firmly believe that the key to the future rests with education.

African-American children must be encouraged not just to remain in school but to excel in school. Today I want to salute a program sponsored by Consolidated Edison Co. of New York that encourages African-American and Hispanic-American students to excel by giving them daily reminders where it counts.

For the past 20 years Con Edison has helped New Yorkers celebrate Black History Month by sponsoring lectures in public library branches and other locations, and producing

"Pride and Heritage" book covers, which are distributed by area libraries, schools, and the community.

The series of seven book covers feature drawings and short biographies of 14 famous black Americans, including Bessie Coleman, the world's first black licensed pilot; Dr. Ralph Bunche, United Nations statesman and Nobel Peace Prize Laureate; Esteban, the explorer who discovered Arizona; Fannie Lou Hamer, civil rights leader; Lorraine Hansberry, playwright; Langston Hughes, poet and writer; Dr. Martin Luther King, Jr., human rights leader and Nobel Peace Prize winner; Lewis Howard Latimer, electrical engineer and Thomas Edison's assistant; Ronald E. McNair, astronaut; C.B. Powell, founder and first publisher of the Amsterdam News; Paul Robeson, actor, athlete, scholar, and human activist; Arthur A. Schomburg, scholar; Henry Ossawa Tanner, artist; and Madame C.J. Walker, one of America's first self-made millionaires.

Con Edison has distributed nearly 11 million book covers over the past 20 years within New York City and Westchester County, and another 750,000 are expected to be distributed this year through libraries, community centers, and schools. The impact of such a worthwhile endeavor is hard to gauge. But I can't help but think that scores of students studied harder, longer, and with more spirit as they were reminded of some of the inspiring African-Americans that have preceded them.

I want to salute Con Edison, its chairman, Gene McGrath, and all those that make this inspiring and worthwhile project happen.

PORT CHICAGO SAILORS DESERVE A REVIEW

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. MILLER of California. Mr. Speaker, I am today introducing a resolution calling upon the Secretary of the Navy to initiate immediately a review of the facts surrounding the mutiny convictions of 50 black Navy sailors following the disastrous Port Chicago explosion of 1944.

Few Americans remember, or have even heard of, the explosion at the Port Chicago weapons facility on July 17, 1944. For residents of Contra Costa County and much of northern California, the still unexplained detonation of armaments on two victory supply ships was one of the great tragedies of World War II. The blast killed 320 sailors, over 200 of them blacks who were exclusively charged with the hazardous responsibility for loading ammunition onto transport ships at the port. The Port Chicago explosion resulted in the largest domestic loss of life during World War II.

Recent research, including a book, "The Port Chicago Mutiny" by Robert Allen, and two television documentaries, have not only established the story of the disaster, but also documented the pervasive racial prejudice that surrounded the trials of 50 black sailors who refused to resume loading operations because they feared unsafe conditions that had contributed to the explosion. Those dangerous prac-

tices included a near absence of training, and the use of a speed up competitive system for loading of the armaments that minimized safety.

Over 20 Members of Congress, many of them members of the black caucus, joined me last year in requesting Navy Secretary Lawrence Garrett to use his authority to reopen the cases of the court martial sailors. The Congressional Research Service's legal division conducted an extensive review to determine whether the Secretary possesses sufficient authority under the Uniform Code of Military Justice to initiate a review of the original trials and convictions. Despite several legal opinions from Congressional Research Service and private attorneys, Secretary Garrett has repeatedly refused to reconsider the Port Chicago cases.

At a time when black Americans are again, in disproportionate numbers, willingly accepting the risks of defending our Nation, we owe it to the veterans of Port Chicago to assure that they receive justice and the timely attention of their Government to a possible wrong committed over four decades ago.

Many of the convicted men are now elderly and in deteriorating health. Little time exists to continue the legal bantering about whether the Secretary currently has the authority to review the cases. My legislation would clearly direct the Secretary, notwithstanding any other provisions of law, to initiate a review of the Port Chicago case and to make a recommendation whether original verdicts and sentences should be considered or overturned.

I would hope that this legislation will be enacted by the Congress without further delay. A full and impartial review will not only provide an opportunity to determine whether justice was truly done, but will also focus public attention on this long ignored, but important, chapter in the history of World War II.

PROCEDURES USED BY THE NATIONAL MEDIATION BOARD NEEDS CHANGING

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. KOLTER. Mr. Speaker, I rise today to introduce legislation that will correct a serious flaw in the procedures used by the National Mediation Board [NMB] in determining elections to select union representation for employees covered by the Railway Labor Act [RLA].

The NMB is interpreting an organizing/collective provision of the RLA to mean that an organized labor representative must receive votes from a majority of those eligible to vote, not by a majority of those who actually do vote. They define majority by requiring 50 percent plus 1 of the eligible employees to mail back valid ballots to elect a bargaining representative. For example, if there are 1,000 eligible employees, 501 valid ballots must be cast for the NMB to certify a representative as the employees' bargaining agent. If only 500 cast ballots, the NMB would find that a majority of eligible employees did not favor rep-

resentation. Thus the 500 who did not cast ballots would be treated by the NMB as votes against representation. Because the RLA does not define "majority" but does permit the NMB to establish the rules for any representation election, the manner in which the NMB counts ballots has been upheld by the courts as an exercise of agency discretion not explicitly contrary to the RLA's language.

My bill will only add three words to title 45, section 152, subsection 4 of the United States Code. This provision now begins as follows:

Employees shall have the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this act.

This legislation will amend the provision to read:

Employees shall have the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees who cast ballots shall have the right to determine who shall be the representative of the craft or class for the purposes of this Act.

Adding these three words will assure that congressional intent is observed by the NMB in deciding these elections.

The manner in which the NMB chooses to count ballots plainly and unduly impedes representation of employees by a labor organization. The Teamsters Union has been involved in two campaigns to represent the fleet service employees of USAir following the merger with Piedmont. It is the certified representative of the fleet service employees on premerger USAir and was the only labor organization on the ballot. In the first election, January 1990, there were 8,002 eligible employees. The Teamsters needed 4,002 valid ballots to be certified but only 2,425 were received by the NMB. Because the NMB found that USAir had unlawfully interfered with the employees' right of free choice, a second election was scheduled. The number of eligible voters dropped to 7,236. This time the Teamsters needed 3,619 valid ballots, but the NMB only received 2,550 during the December 1990 rerun election.

Mr. Speaker, similar results have been experienced at America West by the Association of Flight Attendants and at Federal Express by the Air Line Pilots Association. In each instance the employees who wanted representation were required to take the affirmative steps necessary to vote. Under the 50 percent plus 1 rule, the NMB presumed that those employees who did not return ballots were voting against representation. According to this NMB procedure, employees who do not wish to be represented by a labor organization simply do nothing. They supposedly vote by silence rather than in writing.

The NMB procedure does not take into account employees who are indifferent, neutral, or uncertain. In a normal political election the silent electorate, those that stay home, are considered the uncertain, neutral or indifferent voters. In a NMB election, this is not an option.

My legislation adding three words to the RLA would change the meaning of the word "majority" to its normal meaning in our society. By adding the words "who cast ballots,"

the representation question would be answered only by those eligible employees who actually voted by returning their ballots to the NMB. In response to this amendment, the NMB may feel compelled to change the ballot in such a way that those employees wishing to vote against representation would also have a box to mark and would also have to return their ballots to the NMB in order to be counted. The presumption that those who do not vote are voting against representation by silence would be eliminated by my proposal.

Moreover, my proposed amendment would require that the voting majority determines the question of representation for the entire bargaining unit. Under the National Labor Relations Act, the NLRB counts the votes for representation and the votes against representation. Whichever wins more than 50 percent of the vote, that is, the majority, prevails in the election. Those who did not bother to vote are not counted. Similarly in congressional and other political elections in the United States, the winner is the candidate who obtains the majority of the votes cast. Those citizens who stay away from the polls are not included in the tally. If public officials were only elected if a majority of their constituents participate in the election process, very few would be elected.

My proposed amendment to the RLA, requiring the majority of employees "who cast ballots" to determine whether the bargaining unit will be represented, will provide fairness to a process tilted against employees seeking to be represented by a labor organization and is consistent with American democratic principles.

Mr. Speaker, I urge my colleagues to join me in supporting this legislation to replace inequity with fairness in the election procedures used by the National Mediation Board.

MEDICARE SKILLED NURSING FACILITY AND HOME HEALTH BENEFIT ACT OF 1991

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. STARK. Mr. Speaker, today I am introducing a bill, along with my colleagues Mr. MOODY, Mr. CARDIN and Mr. COYNE, to provide modest but necessary improvements in the Medicare home health and skilled nursing facility benefits.

The bill includes two benefit changes that were originally included in the Medicare Catastrophic Coverage Act of 1988 and were subsequently repealed in the Medicare Catastrophic Coverage Repeal Act of 1989: the expansion of Medicare's home health benefit to 38 days and the elimination of the 3-day prior hospitalization rule for skilled nursing facility [SNF] benefits.

These provisions, if enacted, would provide substantial relief to the sickest and frailest Medicare beneficiaries. For many Medicare beneficiaries, home health and skilled nursing facility benefits facilitate recovery from an acute illness and enhance rehabilitation.

The first provision of this bill would expand the Medicare home health benefits by provid-

ing for daily home health services for a period of up to 38 days.

Under current law, a Medicare beneficiary may not be considered eligible for any home health services if the patient's physician believes that services would be necessary on a daily basis or that daily services would be required for an undetermined period of time.

If, for example, the patient's physician indicates that services are needed 7 days per week but is unsure for how many days services are required, it is unclear whether such a patient would be considered eligible for any Medicare covered home health benefits. Unless the physician can be specific about the number of days services will be needed, the patient may not be considered eligible for services at all.

This bill would clarify that patients who need daily visits, up to 7 days a week, for a 38-day consecutive period, would be considered eligible for Medicare-covered home health services. I am told that this provision will be particularly beneficial for patients requiring post-surgical wound irrigation and patients with leg ulcers.

The second provision of this bill would eliminate a requirement in current law that prohibits Medicare coverage of skilled nursing facility (SNF) stays without a prior hospitalization of 3 consecutive days.

The 3-day prior hospitalization rule makes no sense. It establishes a perverse incentive to admit patients into a hospital for the sole purpose of obtaining Medicare coverage once discharged from the hospital and admitted to a SNF. In many cases, such hospital admissions are clinically inappropriate and costly. Medicare beneficiaries should not be sent into a hospital in order to be covered for a subsequent SNF admission—when hospital services appear to be unnecessary. What's worse, patients admitted to the hospital are forced to pay the hospital deductible, now set at nearly \$600, when the hospital admission was only necessary for the purpose of obtaining Medicare SNF coverage.

A few examples illustrate the type of patients particularly burdened by the current 3-day rule. As a first example, Medicare beneficiaries who undergo complicated outpatient procedures, and require additional skilled care to facilitate recovery, are not covered under Medicare for SNF level care unless they were first admitted to a hospital for a minimum of 3 consecutive days. Patients undergoing outpatient surgical procedures may be most likely to benefit from the level of care provided in a SNF.

As a second example, some beneficiaries who receive Medicare covered home health services may experience a deterioration in their condition while at home and require more intensive treatment offered in a SNF. Despite the clinical appropriateness of SNF level care, such an individual would not be covered under Medicare unless they were first admitted to a hospital.

My proposal would eliminate this cumbersome 3-day prior hospitalization rule. As under current law, skilled nursing facility coverage would be allowed for patients requiring such services on a daily basis, with no copayments for the first 20 days of SNF care, and copayments imposed for stays between

21 to 100 days. In 1991, the SNF copayment is set at \$78.50 per day.

There is now substantial evidence that Medicare beneficiaries are being discharged from hospitals with greater needs for post-acute services. While such patients do not need the intensity of services provided in hospitals, they nonetheless necessitate skilled services at home or in nursing homes to allow them to recover from an illness or become more functionally dependent.

Mr. Speaker, neither of these provisions should have been repealed in 1989 when the Congress repealed the Medicare Catastrophic Act of 1988. These relatively modest benefit improvements would provide needed reforms in the Medicare Program.

I urge my colleagues to join us in support of this bill.

BLANCO: PRESERVING TEXAS HILL COUNTRY HISTORY

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. PICKLE. Mr. Speaker, every region of this Nation has its own treasured and unique heritage, passed down from early settlers and enriched by each succeeding generation. This regional history is a priceless gift, and nowhere in the country is it more fiercely protected than in the Hill Country of central Texas.

I want to call the attention of my colleagues to just one example of how the families of one Hill Country community joined together against formidable odds to preserve an architectural treasure. Faced with the sale of their 94-year-old courthouse building to a private businessman, nine residents of the small community of Blanco formed the Old Blanco County Courthouse Preservation Society. The society joined forces with the LBJ Heartland Council, a regional organization dedicated to the protection and enhancement of the Hill Country heritage. The Preservation Society, with the council's help, received one of only two \$100,000 loans approved by the National Trust for Historic Preservation. Another \$84,000 was raised from local sources, and the society finally was able to purchase the old courthouse. I am proud to have played a small role in preserving this historic landmark, which the society now plans to convert the courthouse into a regional heritage center.

Mr. Speaker, I want to recognize the outstanding contributions of the individuals who really made this preservation effort a reality. The leaders in this effort were the members of the Old Blanco County Courthouse Preservation Society, presided over by Jo Nell Haas, and her board of directors, including vice president Kay Smith, Dan Ward, Jack Kent, June Baird, Anne Holt, Bernice West, and Shirley Beck. The project would not have been possible without the help of Nell and Cliff Krueger and Roy Byers. In addition, the support of the Meadows Foundation, which provided \$80,000 for acquisition and restoration, was crucial to the project.

Thanks to their efforts, a priceless part of Hill Country history will be preserved for future

generations to enjoy. Mr. Speaker, I ask that an article from the Dallas Morning News be included in the RECORD following my remarks. This article recounts the development of this model of historic preservation, and I commend the project to my colleagues for their consideration.

[From the Dallas Morning News, Feb. 6, 1991]

WHEN BLANCO'S OLD COURTHOUSE WAS SOLD,
THE RESIDENTS RALLIED TO BUY IT BACK

(David Dillon)

BLANCO, TX.—In a state with the richest courthouse tradition in America, the old Blanco County Courthouse is seldom mentioned. Blanco itself, for that matter, is mainly a footnote to discussions of the Texas Hill Country.

And yet this handsome limestone building, the centerpiece of an isolated ranching community southwest of Austin, is the subject of an unusually upbeat preservation story that is also the story of small-town American grit and optimism. Horton Foote couldn't have scripted it better.

Over the last five years Blanco residents have raised \$250,000 to buy back their courthouse from an owner who wanted to dismantle it and move it to his ranch near Sandy, in east central Texas. The rescuers included ranchers, housewives, farmers and merchants. None is wealthy, or could plausibly be described as a preservationist. Their actions were prompted by an emotional attachment to the courthouse and a belief that its loss would somehow erase the community memory.

"We were just operating on gut instinct," recalls Jo Nell Haas, one of the leaders of the group. "Something inside said, 'Keep going, there's something there.' We had a hundred-and-one ideas of what to do with the building. We just didn't have money or a plan."

The Blanco County Courthouse was designed in 1886 by F.E. Ruffini, a prolific Texas architect who designed public buildings across the state, as well as Old Main at the University of Texas at Austin. He was a facile, eclectic designer, adept at the popular continental styles, and gave Blanco a stylish Second Empire building with a mansard roof, four impressive pedimented entrances and abundant decorative metal trim.

Four years after the courthouse was finished, the county seat was moved north to Johnson City, an act of political treachery that remains unforgotten in Blanco. Mr. Ruffini's courthouse subsequently became a school, a bank, a hospital, a Farmer's Union Hall, a Wild West museum and most recently an abandoned hulk awaiting the onslaught of the rising damp.

Although most Blanco residents had a personal or ancestral connection to the courthouse, they were coolly indifferent to its plight until San Antonio businessman John W. O'Boyle Jr. bought it in early 1986 for \$500,000. The purchase immediately made him seem like a character from *Giant*—the Bick Benedict of Blanco—and to some residents signaled the beginning of a run on the town's real estate by the commuting gentry of Austin and San Antonio.

In June 1986, nine residents gathered at Leo's Barbecue to discuss the problem, and by the end of the meeting had formed the Old Blanco County Courthouse Preservation Society. They drew up a formal petition opposing the sale, and soon got a historic district ordinance passed by the City Council. On Labor Day, the group held a bake sale on the square that netted \$650, a preview of difficulties to come.

Shortly thereafter the group met with Mr. O'Boyle, who reportedly was surprised that anyone cared about the old courthouse and stung by the suggestion that he was trying to rob Blanco of its heritage. After clarifying his intentions, he agreed to sell the courthouse back to the preservation society for what he had paid for it.

The group approached the National Trust for Historic Preservation and various charitable foundations for support. The national trust made a \$1,500 grant for a feasibility study, but the prevailing response was; Great idea, but the price is too high. Call us back when you know what you're doing.

"Everybody was implying that we were just a bunch of crazy people running around making noise," says Jo Nell Haas. "The more they said, 'You can't do it,' the more we'd say, 'Just watch.'"

Two years and half a dozen bake sales, craft fairs and T-shirt blitzes later, the group had \$2,000 in the bank. Even in Blanco, that's glacial progress. Apparently the skeptics were right.

And then the preservation society got lucky. It found an ally in the fledgling LBJ Heartland Council, a regional grass-roots organization established to protect and enhance the heritage of the Hill Country. It had only slightly more money than the Blanco group, but it did have a broader focus and national connections through Lady Bird Johnson and others. If Blanco needed help, the council needed a demonstration project to prove that regional cooperation was more than rhetoric.

With help from the council, the preservation society applied for a \$100,000 loan from the national trust—and got it, one of only two in the country since 1989. Townspeople guaranteed the loan with their CDs.

The loan was a prelude to a symbolic groundbreaking at the old courthouse in October 1989. Representatives from the trust and U.S. Rep. Jake Pickle's staff showed up, along with county officials and the mayor of Johnson City. The Blanco band played, and schoolchildren released balloons at appropriate moments. The event impressed Mr. O'Boyle sufficiently that he soon gave the preservation society an option to buy the building for \$300,000.

But virtually all of the money raised so far was from outsiders. What mattered to the foundations, and to Mr. O'Boyle, was the amount of local support. Did the town really care about the courthouse, or just the group at Leo's Barbecue?

So early in 1990 the preservation society started planning a do-or-die dinner dance—\$100 a couple for chicken fried steak and Asleep at the Wheel, to be held, not in Blanco, but at Ed's River Palace in Johnson City.

"We'd never done any fund raising except for bake sales," says Kay Smith, who orchestrated the event. "But we knew we had to do it. The foundations were telling us that without grass-roots support we were finished."

Society members hit the streets of Blanco and neighboring towns in search of door prizes and donations for a silent auction. By April 27, 1990, they had scared up \$27,000 in merchandise, including a microwave, a deer rifle, trips to Nashville and Las Vegas, a football jersey from Earl Campbell, a ton of fertilizer and a load of hay.

That evening, 450 couples showed up, some gritting their teeth at the thought of spending the evening with folks from Johnson City. As it turned out, only a dozen people showed up from Johnson City. Many came from Dripping Springs, Fredericksburg,

Round Rock and San Antonio. The evening sent the requisite regional message. F.E. Ruffini's great-granddaughter flew in from California, made a cash donation and implied that some of his architectural drawings might also be forthcoming.

The dinner dance netted \$57,000, which grew to \$84,000 by the time all the donations had trickled in. The dance and the trust loan gave the preservation society enough credibility to secure a \$40,000 grant from the Amon G. Carter Foundation in September and an \$80,000 grant from the Meadows Foundation in November, of which \$30,000 could be put toward buying the building.

Going from \$2,000 in the bank to \$250,000 impressed even the Blanco old guard, who suddenly closed ranks behind the "crazy courthouse people", as though they knew they could do it all along. But the group was still \$50,000 short of its goal, and its option was about to expire.

The leaders went to meet with Mr. O'Boyle's lawyer, Gordon Sauer, to ask for a six-month extension on the option. "We had our speeches and our special pleas all rehearsed," says Kay Smith.

But they weren't necessary. Mr. O'Boyle already had instructed his lawyer to tell them that they could have the building for \$250,000. "He thought about it for two minutes and told me, 'Let it go,'" recalls Mr. Sauer. "He was delighted, and also astonished at what they had done."

On Jan. 24, 1991, almost five years after Mr. O'Boyle bought the Blanco courthouse, title was returned to the community.

"I see this as a model for the rest of Texas," says Libby Barker, the Texas field coordinator for the national trust. "This is the first time that these people have worked together on anything. It's not government telling them how to do it. They're doing it themselves. It's small-town America at its best."

The current plans are to convert the courthouse into a regional heritage center, containing a small museum and offices for the LBJ Heartland Council and the Old Blanco County Courthouse Preservation Society. The second floor, where the hospital union hall and opera house used to be, will be rented to community groups.

The preservation society still must raise another \$350,000 to complete the restoration, as well as \$250,000 a year to repay the loan from the national trust. But everyone involved seems to think that things will be easier this time around.

"There used to be a lot of apathy around here," says Jo Nell Haas. "Now, people are starting to come together. They're fixing up the buildings. There's a new park coming along. The courthouse holds the key to the whole community."

INTRODUCTION OF THE MOUNT SOPRIS TREE NURSERY LAND EXCHANGE

HON. BEN NIGHTHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. CAMPBELL of Colorado. Mr. Speaker, I am introducing legislation to allow Pitkin and Eagle Counties to acquire 132 acres of the 186 so-called Mount Sopris Tree Nursery in the White River National Forest in exchange for 1,307 acres of patented mining claims which are owned by the counties.

The National Forest Service used to operate the tree farm, near Aspen, CO, but several years ago decided they didn't need the property any longer and gave permission to the General Service Administration [GSA] to sell the property to the highest bidder.

Rather than allowing this property to be sold, subdivided and developed to make room for more expensive condominiums and townhomes, I intend to direct the Forest Service to exchange the tree farm for inholding within the White River National Forest that are owned by Pitkin and Eagle Counties.

The tree farm can then be used by the counties for public purposes, like a community or senior citizens center or for recreational facilities. The inholdings the Forest Service will receive will help consolidate the lands they manage and ensure public access to what were once private lands. The exchange also protects the U.S. investment because it contains a clause which directs that all the proceeds from any future sale or lease would go to the U.S. Treasury.

The bill also sets up an orderly process to address any claims which may arise when the United States is granted title to the patented mining claims. This is necessary to prevent any further forest management problems which could arise.

The Forest Service and the counties have been attempting to complete this exchange administratively for many years. Unfortunately, the cost of clearing the title on every acre of property makes this infeasible in light of the stressed Forest Service and county budgets. This exchange will serve a valuable public purpose, and save the Government money.

The proposal has widespread local support. Colorado environmentalists also support the proposal because it prevents even more public land in the Roaring Fork Valley from being privatized and developed.

A TRIBUTE TO HON. WARD J. HERBERT

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. ROUKEMA. Mr. Speaker, Saturday, March 2, 1991, the friends and supporters of the Northwest Bergen/Ramapo Valley chapter, the Essex chapter and the Central Bergen chapter of the American Red Cross will pause to salute the volunteers that have built these chapters into the effective organizations that they are today. I would like to call to the attention of my colleagues one of these honorees, Ward J. Herbert.

Ward Herbert is a native of Ohio, and graduated from the Ohio State University in 1925. However, and to the benefit of the citizens of the State of New Jersey, following his graduation from Harvard Law School in 1925 he moved to our great State and was admitted to the bar the following year. For the next 30 years, Ward lent his talents and abilities to the growth of the distinguished firm of McCarter and English. His abilities were recognized in 1961 when he was appointed judge of the New Jersey Superior Court, Chancery Division.

Ward Herbert has never lost touch with nor forgotten the values of community from which he was reared in Ohio. Since 1974, he has served as the president of the Orange, NJ Free Library. Since 1975, he has served as chancellor of the Episcopal diocese of Newark. This week he will be recognized for his service as a director of the Essex County New Jersey chapter of the American Red Cross.

Mr. Speaker, success comes in many ways. But it is sweetest when it comes with the approval, the applause, the rewards freely given by one's peers. And that is why the supporters of the Red Cross in northern New Jersey will gather this week to recognize Ward J. Herbert. I ask my colleagues in the House to join in that recognition.

FREEDOM'S FAIR WEATHER FRIENDS?

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. RITTER. Mr. Speaker, I'd like to call my colleagues' attention to a thoughtful editorial piece written by Representative BOB DORNAN in the Washington Times yesterday which surveys the history of congressional support, or lack thereof, for the freedom struggle of the last two decades.

Mr. DORNAN's article follows:

FREEDOM'S FAIR WEATHER FRIENDS?

(By Robert Dornan)

In a letter thanking me for my vote authorizing the use of force in the Persian Gulf, my friend and colleague Steve Solarz, New York Democrat, wrote, "History will eventually determine whether we were right or wrong."

Given the way "history" has screwed up the story of U.S. involvement in Vietnam, this is not a comforting prospect.

Indeed, one of the true "lessons of Vietnam" is that history is too important to be left to historians, who in the case of Vietnam let their ideological blinders influence their interpretation of events.

But as the ancient Romans used to say, "Woe to the vanquished," by which they meant that not only would the defeated be killed or sent into slavery but also that the victor would write the history of the conflict. Richard Nixon made much the same point when he wrote, "[A]mong those who say the nations of the West are on the wrong side of history in the fight against communism are people who actually write history."

However, learning from our mistakes in Vietnam, President Bush is determined to be on history's winning side this time.

By winning side, I don't mean just from a purely military point of view. After all, the United States was militarily victorious in Vietnam, never having lost a battle while dominating the air and seacoast. (It is very curious that those same liberals who now lecture us that war is a "political" act still falsely and deliberately refer to Vietnam as a "military" defeat.)

Indeed, after the so-called Christmas bombing of Hanoi and Haiphong in 1972 (the United States did not bomb on Christmas Day), Sir Robert Thompson, the British expert on guerrilla warfare, declared, "In my

view, on Dec. 30, 1972, after 11 days [it was actually 18 days] of those B-52 attacks on the Hanoi area, you had won the war. It was over! They would have taken any terms. And this is why, of course, you actually got a peace agreement."

But there was another war being waged at home—one for the "hearts and minds" of the American people. That was the war in which those of us who agreed with Ronald Reagan that Vietnam was a "noble cause," a just cause, were shouted down. The steady appetite of half-truths, distortions and lies fed to the American people by a dominant media culture gone berserk (see Peter Braestrup's "The Big Story") combined with a popular culture actively engaged in the anti-war movement doomed any rational debate on the conduct of the war and its aims. (And after seeing some in the media try to turn the skirmish at Khafji into another Tet offensive, I fear the media cowboys are lusting for a replay.)

Thus we have a nation full of people confused by the "lessons of Vietnam." Fortunately, our president and those charged with fighting this war are not confused at all. As the president has said, the war with Iraq will not be another Vietnam because we will not fight it "with one hand tied behind our back."

I am sure this is not the lesson most of my liberal colleagues drew from "the Vietnam experience," as the recent debate over the use of force in the Gulf illustrated. Indeed, even Mr. Solarz, who cosponsored the resolution authorizing force, still seems woefully confused about Vietnam.

For instance, Mr. Solarz said during the debate that in Vietnam "vital American interests were never at stake" and that "the cost in blood and treasure was out of all proportion to the expected benefits of a successful defense of South Vietnam." (I am sure the oppressed Vietnamese, as well as 700,000 Vietnamese-Americans, would not agree.)

Yet these very practical considerations give way to this truth: "The great lesson of our time is that evil still exists, and when evil is on the march, it must [my emphasis] be confronted."

Except, of course, when in his view our vital interests are not at stake or when it will cost too much—as in Vietnam. My friend Steve Solarz, like most liberals, is trying to have it both ways. They use shifting criteria so they can pick and choose where to stand for freedom, cafeteria-style.

But if it is evil Mr. Solarz seeks to confront, it is hard to imagine a more virulent variety than that unleashed all over Southeast Asia by the communists in Hanoi and Cambodia, who, unconstrained by the U.S. military, have caused the death of upward of 2 million people. The killing continues to this day.

It is also a bit disingenuous for some to say that the United States had no vital interests at stake in Vietnam 20 years ago while at the same time arguing that the primary reason we ought to lift the current trade embargo against communist Vietnam is that it is so strategically important.

I would think Mr. Solarz would be a little ashamed of his statement that he got his "start in politics as a campaign manager for one of the first anti-war candidates for Congress in the country."

I don't mean to single out Mr. Solarz, a colleague I respect. I point him out because he was a driving force in the debate over the use of force and because his shifting standards for confronting evil are representative of many others on the left in his party.

But more to the point, there was no reason that the cost of Vietnam should have been "all out of proportion." This is a version of the "war was unwinnable" argument, to which Mr. Nixon responded, "this was a favorite argument of those who did everything in their power to prevent the United States from winning."

The war was clearly winnable. That we fought it in a way that made winning impossible was a conscious decision by President Johnson and his secretary of defense, Robert McNamara. The Johnson brag that the Air Force couldn't even "bomb an outhouse" without his OK is but one example of just how constrained the military was in prosecuting the war.

Would we fight that way in Iraq today? Of course not. The American people would not stand for it.

Why, then, are the objectives of the Vietnam War still questioned when it was the tactics that were lacking? Why do these myths persist? And more importantly, why are those who opposed our efforts in Vietnam still given the slightest bit of credibility? For their side has much to answer for. "Peace," after all, was not without its bloody, brutal consequences.

This is a critically important point. For in Vietnam, the anti-war left got its way in the end and we all know what followed: the Killing Fields, re-education (concentration) camps, boat people, New Economic Zones, the Vietnamese Gulag, the Bamboo Curtain, yellow rain, etc., etc. All this because the United States was driven out of Indochina by the American left. The anti-Vietnam War crowd, with its "Ho, Ho, Ho Chi Minh" chorus, which thought itself so morally superior, has never been held to account for the ghastly outcome of its immoral policy.

So while I greet those precious few former members of the anti-war movement who crossed over to join us in confronting this evil, I do worry about their lack of consistency. Though they are on the right side this time, it is clear they can't be counted on in all good cases, as we saw in Vietnam, Grenada and Nicaragua, and still see in Angola. We therefore have good cause to fear that once this conflict is over, they will again be freedom's fair-weather friends.

RABBI DAVID H. PANITZ ESTEEMED AUTHOR, EXEMPLARY EDUCATOR, AND GOOD FRIEND

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. ROE. Mr. Speaker, on January 25, 1991, Rabbi David H. Panitz was called to his eternal resting place and my Eighth Congressional District, the State of New Jersey, and our Nation lost a gifted and outstanding individual and I lost a close and devoted friend.

It is with great sadness that I note Rabbi Panitz's passing for he was a very good friend and I shall miss his counsel, his warmth, and his grace which were, truly, the hallmark of an individual who made a difference to the congregation he served and the many people with whom he came in contact.

A scholar, a spiritual leader, an educator, devoted family man, and an inspirational friend—Rabbi Panitz was all of this and more. He embodied all that was just and right in our

society and all of us are better, much better, because he passed this way. His life was taken from us, but his legacy is legion, serving as spiritual leader of Temple Emanuel in Paterson, NJ for 30 years and devoting 45 years in rabbinical service, from which he retired in June, 1988. However, Rabbi Dr. Panitz was truly ecumenical in his spiritual leadership having held high positions in the National Conference of Christians and Jews, and lecturing at scores of churches, colleges, and civic organizations. He served in Paterson as chairman of the Mayor's Brotherhood Committee, cochairman of the Commission on Jewish-Catholic Dialogue and as cochairman of the Task Force for Community Action to Combat Poverty.

Mr. Speaker, I remember well Rabbi Dr. Panitz' scholarly discussions on many varied topics. I remember his warmth and his commitment to his people and to this country. I will sorely miss his advice, his good judgment and will miss him as my friend. I feel that I was most fortunate and truly blessed to have had Rabbi Panitz as my good friend—his inspiration, his example, his scholarly approach to life, and his devotion to our society to do good were an awesome example to follow. I may have been the only Irish Catholic Member of Congress who had his own personal rabbi in Dr. Panitz.

Mr. Speaker, it has been a privilege for me to share with the Panitz family this very special person whose lifetime of achievement in devotion and dedication to the Jewish community and to all mankind is legendary. Surely, the people of my Eighth Congressional District were truly blessed by the distinguished and dedicated record of outstanding public service rendered by Rabbi Dr. Panitz. He endeared himself to his congregation and to the Jewish community, and his interfaith and interreligious activities have truly left their mark on all faiths and religions.

Rabbi Dr. Panitz was a scholar whose teachings were legion—he helped to strengthen the ethical and moral fabric of our society. He devoted his entire life to developing the minds and hearts of our people, both Jewish and non-Jewish. He gave so much toward building the future of Judaism in this country through his work with Jewish children, and played a leading role in helping to establish the Solomon Schechter Day School of North Jersey. He was a community leader and as such brought enlightenment and encouragement, aid and comfort, peace and rehabilitation to those in need of his good counsel and judgment.

The late Rabbi Panitz' long list of noteworthy achievements encompassed the wants and aspirations of all of our people, and with your permission, I would like to insert at this point a brief biography, as follows:

Rabbi Dr. David Hirsch Panitz, son of the late Ezekiel and Nettie Panitz, was born in Baltimore in 1918. He was educated in the public schools of that city, and also graduated from both academic and teacher training schools of the Baltimore Hebrew College. He received his B.A. and M.A. from Johns Hopkins University, and received his rabbinic ordination from the Jewish Theological Seminary of America in 1943. The seminary later con-

ferred upon him the degree of doctor of divinity, honoris causa.

At Hopkins, he was a student of the noted biblical scholar, William Foxwell Albright, with whom he studied ancient near eastern languages, history, and archeology. Rabbi Panitz taught Bible at the George Washington University in the Nation's Capital and served on the faculty of the Rabbinical School of the seminary. He was also dean of the American Academy for Jewish Religion.

He had been the spiritual leader of Paterson's Temple Emanuel of North Jersey from 1959 until his retirement in 1988. Prior to his service in Paterson, he held pulpits at Temple Adath Yeshurun in Syracuse, NY, at Congregation B'Nai Jeshurun in New York City, and at Adas Israel Congregation in Washington, DC.

The late Rabbi Panitz fashioned an outstanding record of service to his congregational families, to the entire Jewish people, to Israel, and to the overall community at large. He was for a number of years a commissioner of the Paterson Board of Education. He was for 29 years the Jewish chaplain of the Passaic County Jail, and served in the same capacity for the Paterson Police and Fire Departments. He was chairman of the Passaic County Alcoholic Rehabilitation Board for 15 years. He was the national chairman of the Joint Commission on Rabbinic Placement of the Rabbinical Assembly, the United Synagogue of America, and the Jewish Theological Seminary of America, national cochairman of the State of Israel Bonds Rabbinic Cabinet, national chairman of the Interreligious Affairs Committee of B'Nai Brith Anti-Defamation League, vice president of the Jewish Conciliation Board of America, and president of the New Jersey Board of Rabbis. He was the first Jewish person to be elected president of the Coalition of Religious Leaders of New Jersey, and was a member of the plenum, the Domestic Policy Committee, and the International Affairs Committee of the Synagogue Council of America.

He was always active in interfaith and intergroup endeavors. He held high positions of leadership in the National Conference of Christians and Jews. He also served in Paterson as chairman of the Mayor's Brotherhood Committee, cochairman of the Commission on Jewish-Catholic Dialogue and as the cochairman of the Task Force for Community Action to Combat Poverty.

Within the movement of conservative Judaism, he had served as national secretary for the Rabbinical Assembly, as a member of that group's Committee on Jewish Law and Standards, and as national chairman of the Committee on Regions of the Rabbinical Assembly. He was a member of the Seminary's Rabbinic Cabinet, a fellow of the Seminary's Herbert H. Lehman Institute of Talmudic Ethics and chairman of the Rabbinic Tutoring Committee of the seminary's Institute of Religious Social Studies. He had also served on the United Synagogue of America as a member of the National Youth Commission and chairman of its Committee on Peace and Religion of the Joint Commission for Social Action.

Among other positions held by Rabbi Dr. Panitz, he served as national chairman of the Broadcasting-TV-Film Commission and the

Commission on Social Justice of the Synagogue Council of America; and he was the head of the council's delegation to the Conference of Major Jewish Organizations. He was the president of the Louis Marshall Lodge of B'Nai Brith, vice president of the North Jersey Jewish and Family Children's Service, and long time chairman of its Child Care Committee. He was a member of the National Rabbinic Advisory Committee of the United Jewish Appeal, a member of the board of directors of the Jewish Federation of North Jersey and the Board of Jewish Education, chairman of the Paterson Board of Education's Advisory Committee and chairman of its Adult Evening School, as well as chairman of the Passaic County Narcotics Rehabilitation Committee. In addition to all of the above, Rabbi Panitz rendered more than 7,500 hours in 29 years of voluntary chaplain services at the Barnert Hospital and Medical Center.

Rabbi Panitz was the author of "Studies in the Legal Responsa of Joseph Colon"—researches in 15th century Italian Jewish history. With his wife, he coauthored "Simon Wolf, U.S. Consul to Egypt." He also wrote numerous articles and chapters in other books. He was married to the former Esther Leah Allentuck, who is the author of "The Alien in Their Midst, Images of Jews in English Literature," and "Simon Wolf, Private Conscience and Public Image" and many basic monographs in American Jewish immigration history.

Mr. Speaker, I know that you will join with me in expressing your heartfelt and deepest sympathy to the Panitz family. First, to the late Rabbi's widow; then, to their three sons, Lt. Comdr. Jonathan A. Panitz, career chaplain in the U.S. Navy, now assigned to the office of the chief of Navy chaplains at the Pentagon—married to Jane Royal; Dr. Raphael I. Panitz, who has taught at the University of Pennsylvania and SUNY-Binghamton, and now serves as my legislative assistant—married to Susette Mottman; and Rabbi Michael E. Panitz, who is spiritual leader of Temple Beth Israel in Maywood, NJ, and is the principal of the Prozdor, the Hebrew High School of the Jewish Theological Seminary of America—married to Sheila Salzer—and seven grandchildren; Zimra, Obadiah, and Yasmeen; William Jeffrey; and Emily, Ezekiel, and Benjamin. Also, to his brothers, Rabbi Seymour Panitz of Rockville, and Mr. Bernard Panitz Wilmington, DE, and to his sister, Mrs. Judith Saphire of Brooklyn, NY.

It is important to note that the rabbi's relaxation came from playing with these youngsters, listening to his extensive collection of classical music, and reading from his personal library of more than 13,000 volumes.

Mr. Speaker, it has been my distinct honor and privilege to have known the late Rabbi Dr. Panitz. I seek this national recognition of his passing as a living legacy to his family and to all who have had the privilege of knowing him. The richness of his wisdom, and the quality of his leadership, in all of his accomplishments and achievements, have been truly inspiring, indeed.

To my dear close friend, I bid a fond "Shalom."

Rabbi Dr. Panitz will be deeply and sorely missed but the good deeds of this kind and gentle man will live on for generations.

RECOGNIZING THE GENEROSITY OF THE PRIVATE SECTOR

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. MORELLA. Mr. Speaker, my friends at the Hebrew Home of Greater Washington have pointed out to me an example of community generosity which I would like to acknowledge.

Kirson Medical Equipment Co., a Maryland-based supplier of medical goods, recently donated a compression pump to the Hebrew Home. The home, which is located in the Eighth Congressional District of Maryland, was in dire need of this compression pump—an expensive piece of medical equipment used to treat certain forms of swelling. The Hebrew Home hopes that this machine will improve the quality of life of many of its citizens.

Mr. Speaker, it is a pleasure for me to see the private sector becoming actively involved in our community. Through their generosity, firms like the Kirson Medical Equipment Co. demonstrate a sincere commitment to the State of Maryland and to its citizens. For this, these firms deserve our recognition and our thanks.

IN HONOR OF DR. LINUS PAULING

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. PANETTA. Mr. Speaker, I rise today to pay tribute to Dr. Linus Pauling, one of the world's greatest scientists and humanitarians, who is celebrating his 90th birthday today, February 28, 1991. Dr. Pauling, the only person to receive two unshared Nobel prizes, continues to make major contributions toward a healthier and more peaceful world.

In 1954, Linus received the Nobel prize in chemistry for his discovery of the nature of the chemical bond. His work contributed greatly to an understanding of the complex molecular structure of protein. It also led to new knowledge about sickle cell anemia, a disease of the red blood cells. Dr. Pauling later attracted attention for his experiments on the use of vitamin C in treating cancer and the common cold.

Linus won the Nobel Peace Prize for his efforts to ban the testing of nuclear weapons. In 1958, he submitted a petition to the United Nations that stated in part, "Each added amount of radiation causes damage to the health of human beings all over the world." This petition helped lead to the signing of a Test Ban Treaty in 1963 by the United States, the Soviet Union, and most other United Nations members.

Dr. Pauling is presently working out of the Linus Pauling Institute of Science and Medi-

cine in Palo Alto, CA, and from his ranch at Big Sur, CA. The Linus Pauling Institute is a nonprofit organization founded in 1973, dedicated to improving the quality of life and decreasing human suffering.

Linus' involvement clearly knows no bounds. His superior dedication and commitment has been acknowledged by many world leaders, and I am honored to personally recognize him now for his contribution in continuing the fight for peace and health to all.

Mr. Speaker, I ask my colleagues to join me now in congratulating Dr. Linus Pauling on his 90th birthday and commending him for his outstanding achievements. It is with great respect and pride that I salute the overwhelming contributions and character of Dr. Linus Pauling.

THE END OF THE PERSIAN GULF WAR

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. MINK. Mr. Speaker, I rise today to express a great feeling of relief and thankfulness that our Nation is once again at peace. Just 7 weeks ago, I addressed this body on what turned out to be the eve of war. At that time, faced with the possibility of thousands of American casualties, I urged patience to allow the President's policy of sanctions time to work.

I, like every representative, had utmost in my mind, the welfare of the men and women of our armed services. In an historic vote of this body, following some of the most heartfelt debate I have ever witnessed, a somewhat divided Congress approved the President to use force as sanctioned by the United Nations.

Immediately after the war started, we came together to solidify our solemn support of our military in the mission we had sent them to do. We all feared for their safety, hoped and prayed for their swift return, and looked ahead to a time when this Nation would once again be at peace.

Today we come together in thanks that peace has been realized, that the President has ordered a cease-fire, and that most of all our Nation has been extremely fortunate not to have lost more soldiers than we have. I thank God for that.

Yet Mr. Speaker, I also feel a great sadness for the soldiers who have made the supreme sacrifice in giving their lives for their country. I agree wholeheartedly with Gen. Norman Schwarzkopf who said yesterday "the loss of one life is intolerable." I pay homage to those brave men and women who have died, and I extend my deepest respects and condolences to their families. They must never be forgotten.

I am also very proud of all of our brave men and women who have done such a magnificent job. They have demonstrated a professionalism and pride that commands respect and appreciation. I hope as a nation we waste no time in showing our thanks for these wonderful men and women.

Now will come the time of rebuilding, and a time for our Nation to once again focus its attention on the work here at home. I hope that

the unity this Nation has demonstrated throughout this crisis, will continue as we try to solve the problems our own people face.

BUSH'S SOAK-THE-MIDDLE-CLASS PLAN

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. MILLER of California. Mr. Speaker, little noted in the budget sent to Congress by the President earlier this month was a policy initiative that millions of Americans have largely overlooked.

It is an oversight that could cost middle income families billions of dollars in Government assistance and services—at the same time that the Bush administration continues a decade-long policy of heaping greater and greater benefits on the wealthiest of Americans.

As noted by Kevin Phillips, hardly a mouthpiece of liberalism or the Democratic Party, the Bush plan to means-test certain programs should be labelled "The Second Middle-Class Squeeze—brought to you by the same politicians who presided over the old middle-class squeeze of the 1980's."

And, Phillips reminds us, this "soak the middle class" strategy is being promoted at the same time that the White House is still proposing the "Real McCoy" of favoritism to the richest 1 percent of Americans—capital gains tax reduction.

The Bush proposals will impose massive benefit losses on the middle class, who have suffered the worst loss of real income and enjoyed the most meager of tax reductions during the past decade. As Kevin Phillips notes, this plan raises again the issue of equity in tax and benefit policy and provides an important subject for political debate in the country which hopefully will be joined during the upcoming budget discussions.

BUSH'S DOMESTIC POLICY? IT'S SOAK THE MIDDLE CLASS

(By Kevin Phillips)

Politics: Showing its pro-rich bias, the White House wants to tighten eligibility for federal benefits, cutting out those \$45,000-a-year fat cats.

WASHINGTON.—Forget all that malarkey about George Bush not having a domestic policy. During the last few weeks, with national attention preoccupied by the Persian Gulf, the White House has started laying out far-reaching fiscal policies—who's going to pay and who's not going to pay—that could become a political hand grenade of the 1990s.

Obviously, it's not the "New Paradigm," the conservatives' much-bally-hooed mix of enterprise zones and local empowerment ideas such as school vouchers. That's small potatoes next to the Administration's emerging blueprint to means-test—or roll back—middle-class eligibility for a whole range of federal program benefits, from school lunches to college loans.

With orchestrated means-testing, Middle America will lead the sacrifice in the 1990s deficit wars—allowing federal tax policies to retain their 1980s favoritism toward the "top 1%" of Americans. This could allow Democratic orators to start belaboring "The Second Middle-class Squeeze"—brought to you

by the same politicians who presided over the old middle-class squeeze of the 1980s.

The economics of middle-class means-testing have a certain logic—but the politics are incendiary. The principal architect, Budget Director Richard G. Darman, is a man of inherited wealth and no firsthand middle-class sensitivity. Yet, as a shrewd fiscal operator, Darman knows huge sums of federal budget money can be had for other purposes—beefing up programs for the poor or safeguarding existing tax breaks for the rich (or both)—by slashing middle- and upper-middle-class eligibility for federal benefits programs. Darman wants an income-eligibility line drawn somewhere between \$20,000 and \$125,000 a year, to cut off middle-class beneficiaries.

These ambitions do not appear in the Bush budget, which sets cutoffs for farm subsidies at \$125,000 in non-farm income, triples Medicare premiums at \$125,000, pegs \$21,000 as the subsidized school-lunch limit and breaks college-aid eligibility at \$40,000 a year. Darman's 1992 budget is simply an entering wedge, though, because the budget director said in recent congressional testimony that he favored "an important new emphasis for reform: increasing fairness in the distribution of benefits, reducing subsidies for those who do not need them." We can't keep federal benefits going to those sleek, well-fed \$22,000-a-year families or those \$45,000-a-year fat cats, can we?

It's an interesting gamble. By seeking to recast the fairness image to deny "the rich" their current farm, Medicare or college-aid benefits and thereby "concentrate" them on the poor, the Bush White House is out to counter its "fat-cat" protection image gained in last year's fight over capital-gains tax reduction and in beating back the Democrats' proposed income surtax on millionaires. This time, the hope is to be seen as promoting rather than blocking fairness.

Maybe. But not if the Democrats are smart enough to explain what's really going on. Federal program means-testing is collateral to broader fairness for three reasons. First, because nobody can seriously tackle the truly rich—who got the real benefits of the 1980s—by playing around with the eligibility rules of federal benefit programs. This is a ploy, a GOP fiscal equivalent of Air Force planes dropping aluminum foil to fool enemy radars. The idea that Laurence Tisch or David Rockefeller will feel the hot breath of Darman's entitlements reform is patently absurd.

Second, because the White House is still proposing the Real McCoy of favoritism to the richest 1% of Americans—capital-gains rate reduction. And third, because the middle-class Americans quietly being targeted for lighter benefits and thinner wallets have already been squeezed for most of the '80s by soaring Social Security taxes, surging property levies, escalating health costs, surging tuition charges and mushrooming auto insurance rates. Pickpocketing these people instead of millionaires is a travesty.

A cynical analyst or a liberal congressman could suggest that Middle America and Upper-Middle America are being targeted so the top 1% of Americans can keep their 31% tax rate. During the 1980s, while the median family income was barely ahead of inflation, the Forbes 400 richest Americans managed to increase their combined net worth from \$92 billion in 1982 to \$270 billion in 1989. One would think this is the obvious place for 1990s pay-back economics.

This brings us to the politics involved and the possibility that Republicans could be

courting another major backlash by blithely framing "fairness" considerations and then clipping the middle and upper-middle class while protecting the genuinely rich. This was the opprobrium they faced after October's budget debate.

The conservative assumption in means-testing Mr. and Mrs. John Q. Public is: a) Middle America will not get too excited and b) lots of Democrats, academicians and poverty groups will cheer the idea of curbing middle-class eligibility and focusing outlays on the poor. It could work. Most middle-class voters won't pay much attention to a few overhauls in program eligibility, and some congressional Democrats are so low-income fixated they don't care much about the middle class.

What's more likely, though, is that Middle America and its political defenders will correctly identify means-testing as something bigger—as the stage two of a painful "politics of unfairness" that began to squeeze the average family during the 1980's, while the rich rode a golden elevator. Federal policy was critical, because the "squeeze" involved combining relative peanuts in federal income-tax cuts for the middle class with significant new burdens: surging and regressive Social Security taxation, the extraordinary federal income-tax "bubbles" (through which the upper-middle class still pays a higher marginal tax rate than millionaires), rising excise taxes, user fees, stepped-up taxation of Social Security benefits and a shift of programs from Washington back to the states that forced up regressive state and local taxes. The result is one that Robin Hood's old enemy, the Sheriff of Nottingham, would envy. By the time the 1980s ended, the top 1% of Americans had 3 to 6 percentage points more of total family income than when the decade started, and the people in the middle saw their relative share decline.

Means-testing the middle class signals another round of this "soak the middle" spirit. But it also comes at a time when the larger pattern of "Sheriff of Nottingham" economics is becoming clear enough to mobilize congressional Democrats—as they proved in last October's bruising and, from their point of view, successful budget debate. Equally important, skittish Republican voters see the GOP bias, too. Some 20%-30% of GOP voters believe their party favors the rich; one poll revealed 80% of Republicans favored the Democratic surtax on millionaires that Bush keeps working to defeat.

Politically, then, the GOP's October embarrassment may have only been a first act if the White House charges ahead on means-testing. The federal deficit may finally be driving a wedge into the GOP, forcing the White House to sacrifice rank-and-file middle-class economic interests to protect the interests of the top 1%. Last year, when Darman got Bush to break his no-new-taxes vow, the GOP discovered that it opened a Pandora's Box of "fairness" issues—and means-testing could be Darman's second Pandora's Box.

Middle America will doubtless have to make some sacrifices to deal with the nation's debt and shrinking resources. But fairness dictates—and more Democrats understand this—that the middle class should not be sandbagged without considerably larger sacrifices required of those at the top, who grew fat during the 1980s. So if the White House does not opt for a thinly disguised "soak-the-middle" fiscal strategy, an important battle will be joined. Bush may yet yearn for the days when the media simply snickered about his not even having a domestic policy.

U.S. CAN'T AFFORD TO LOSE TECHNOLOGICAL EDGE

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. PICKLE. Mr. Speaker, William J. Spencer, president and chief executive officer of Sematech is by far one of the leading experts in America on high-technology issues. He recently submitted an article to the Dallas Morning News which points out the increasing importance of high-technology research and development on our military community and, in particular, its impact on Operation Desert Storm. I share Dr. Spencer's interest in these issues and I commend this article to my colleagues and hope they find it enlightening.

[From the Dallas Morning News, Feb. 26, 1991]

UNITED STATES CAN'T AFFORD TO LOSE TECHNOLOGICAL EDGE

(By William Spencer)

Like millions of concerned Americans over the past month, I watched the riveting, yet terrifying, television coverage of the war in the Persian Gulf.

I was particularly struck by the graphic images and sounds of U.S. Patriot missiles knocking Iraqi Scud missiles out of the sky. I marveled at the videotapes of Paveway III laser-guided bombs, dropped from thousands of feet by speeding planes, entering doors, skylights and air shafts to blast their targets.

I listened with near-disbelief as the Pentagon described the uncanny accuracy of Tomahawk cruise missiles and the ease with which the F-117A Stealth fighters slipped through Iraqi air defenses to destroy strategic targets.

The United States is fighting its first high-tech war, and the initial results have been overwhelmingly favorable. The number of U.S. casualties to date, given the extensive nature of Operation Desert Storm, has been minimal. The loss of aircraft is far less than the most optimistic Defense Department estimates.

None of it would have been possible without semiconductor chips, those microscopic bits of silicon that contain transistors, diodes, wires and other components together which perform the function of an electronic circuit.

Electronic Buyers News reports that the Tomahawk cruise missile has 1,270 electronic component types in it, each of which includes anywhere from a dozen to thousands of computer chips. The F-111A has 8,900 electronic component types, and the Abrams M-1 tanks have 2,500 chip components.

In short, Operation Desert Storm is the most impressive demonstration of U.S. technological superiority since Neil Armstrong walked on the moon. The war is graphic evidence of the importance of having superior technology.

But if the U.S. wants to maintain that technological superiority, which can be readily converted from peacetime use to a war effort, we must continue to invest in the semiconductor infrastructure.

Our weapons are an impressive display of America's high-tech genius. But the weapons being used in the Persian Gulf are based on the technology of the 1970s and '80s. The Patriot, for example, includes chips from one U.S. company that quit making that particu-

lar design in 1985. The real success of these weapons is not in the chips themselves, but in combining applications for the unique functions they must perform.

In fact, it is sobering to realize that many of the components used in these weapons are less sophisticated than those found in the latest CD players, portable VCRs and video cameras.

It's no accident that the country that dominates the consumer electronics market, Japan, also dominates the critical technologies of the future.

Following World War II, military technology drove commercial technology in this country. But that is no longer the case. In fact, it's the opposite. In the future, our leadership in military technology will be directly proportional to our leadership in commercial technology.

The possibility that Japan could reduce or shut off its supply of electronic components is cause for concern among some U.S. officials. Furthermore, the Japanese lead the U.S. in many other high-tech ingredients that would be used for future weapons technologies.

Our national security depends on using our tremendous capability in technology to be the world leader in industries such as computers.

Although our relationship with Japan is historically friendly, is it in our best interest to have to rely on a foreign competitor for the technology needed for the next generation of Patriots, Tomahawks and F-117As? I don't think so, and neither did the Defense Science Board Task Force, which reported in 1987 that "U.S. defense will soon depend on foreign sources for state-of-the-art technology in semiconductors. The task force views this as an unacceptable situation."

That is why it is essential that the United States government continue to invest in high-technology research and development. I hope that in the inevitable debate over how to pay for Operation Desert Storm, our leaders don't lose sight of why we have been so successful.

President Bush has spoken eloquently about our need to be in the Persian Gulf to preserve the "new world order." He's right. We do have a unique and historic opportunity that must be protected.

I am confident that our leaders will continue to fund research and development at the highest levels possible. After all, our investment in America's high-technology infrastructure is really an investment in our security and in the security of the Free World.

CONGRATULATIONS TO THE BROWN SCHOOL IN TURLOCK, CA

HON. GARY CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. CONDIT. Mr. Speaker, in my district there is a school that has taken part in one of the most interesting experiments, one that broadens the mind and shows our young people new and exciting possibilities for the future.

Brown School in Turlock, CA, took part in a project where they tried to raise tomatoes from seeds that had been exposed to long duration space voyage in the L-DEF. I am pleased to

report that this experiment has been an overwhelming success, resulting in a bounty of tomatoes that the students, along with officials from NASA were on hand to enjoy.

It is projects like this that help to stimulate the imagination of our children, while showing them that their personal participation can reap rewards that they can enjoy and that they can share with others in their community. We would do well to learn from these children and their project as we deal with our day-to-day issues here in Congress. We have within our grasp the power to change ourselves and our community, to expand our horizons and to open the door to the unthinkable and the unknown. I commend these students for their dedication to this project and congratulate them for their care and diligence that reaped such rewards.

INTRODUCTION OF MINORITY FINANCIAL INSTITUTIONS WEEK

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. MFUME. Mr. Speaker, today I am introducing a joint resolution to designate March 4, through March 8, 1991, as "Minority Financial Institutions Week." This resolution simply seeks to commemorate the rich history and the significant contributions made by minority and women-owned and operated financial institutions in the United States.

Minority owned financial institutions in this country date back to 1881, when the Capital Savings Bank of Washington, DC and the Savings Bank of the Grand Fountain United Order of True Reformers, of Richmond, VA, were chartered. From 1881 until 1962 when Cathy Bank of Los Angeles, an Asian American bank, was established, banks owned by African Americans where the only minority owned financial institutions of record in the United States. Another little known fact which has somehow eluded commonly available historical accounts is that the very first female bank president in the United States was Maggie Lena Walker, an African American. Mrs. Walker served as president and chairman of the board of the Saint Luke Penny Savings Bank of Richmond, VA, from 1903 until her death in 1934. The first Hispanic-owned bank was founded in 1969, Centinel Bank of Taos, NM. Native Americans established their first bank, Lumbee Bank, of Pembroke, NC in 1917. Women-owned banks entered the financial services industry with the formation of the First Women's Bank of New York, in 1975.

These early institutions were organized to meet the financial service needs in minority communities that major banks neglected. Their mission then was much the same as it is today for many of these institutions, to help influence the social and economic development of the communities they serve. The pervasive influence of this early mission has resulted in the creation of unique niche in the community. Minority-owned financial institutions still today often target small, startup businesses, nonprofit organizations including local colleges, churches, and minority professionals.

The critical need for financial institutions in many under served, neglected communities was first acknowledged by Congress in 1975 when it enacted the Home Mortgage Disclosure Act [HMDA]. This was the first of two legislative initiatives designed to encourage financial institutions to help meet the credit needs of their communities. In 1977, the second of these initiatives, the Community Reinvestment Act [CRA], was subjected to spirited debate in both Chambers but ultimately enacted.

As gleaned from the legislative history, Congress viewed CRA as a vehicle for encouraging inner city revitalization by private investment. But equally clear was the fact that Congress wanted to eliminate long standing practices by some financial institutions of redlining. The evidence gathered during hearings on redlining demonstrates a real connection between the decline in financial services in the inner-city and urban deterioration.

In recognition of the special role and contributions of minority and women-owned financial institutions in their inner-city communities, and particularly in the development of minority business enterprise, President Richard M. Nixon, in 1970, issued an Executive order from which the Minority Bank Deposit Program [MBDP] was established. The MBDP, now codified in Public Law 101-73, requires Government agencies to include minority-owned banks, women-owned banks, and low-income credit unions, in the pool of financial intermediaries that provide banking services to Federal agencies.

The decade of the 1980's saw rapid changes in the structure, marketing practices and regulation of the financial services industry. These changes coupled with technological advances have created a highly competitive and sophisticated market for financial services. Some argue that this competition has also intensified the pressure on financial intermediaries to increase profit margins which offers incentive for many institutions to close their less profitable operations in low-income neighborhoods, often comprised primarily of ethnic minority groups. While increased competition often stimulates financial innovation, the ultimate result in minority neighborhoods is that hundreds of thousands of low- and moderate-income Americans are being deprived of access to basic financial services.

Technology advances, changing demographic patterns and increased competition notwithstanding, minority and women-owned financial institutions have maintained their commitment to providing available and affordable financial services to their communities which have been and continue to be abandoned by majority-owned institutions.

Given the documented contributions of these minority-owned banks, it is hard to understand how we in the Congress, and the administrative agencies that we oversee, continually fail to recognize the connection between their growth and development and that of the communities they serve. Just last November, a minority-owned bank in Harlem, Freedom National Bank, was not only allowed to fail, but its uninsured depositors, including a number of nonprofit groups, community organizations, churches and charities were big losers. This is in stark contrast to uninsured depositors of larger banks with deposits in off shore

accounts. It is difficult to argue that no regulatory action was indeed necessary in the case of Freedom. But when any financial institution fills a vital social need, and it is irrefutable that this community depended on this bank and had no access to other financial institutions, other more creative resolution methods should have been explored. At the very least, the depositors, most clearly from within the community, should have been better protected.

I am not raising this example to place blame upon a Federal supervisory agency which clearly faces many difficult decisions, but I am suggesting that we all need to recognize the unique role that minority owned financial institutions have assumed in their communities. By providing employment opportunities, business capital for minority entrepreneurs and urban development, they certainly deserve no less than our acknowledgment. It is in this spirit that I am introducing a joint resolution to designate March 4, through March 8, 1991, as "Minority Financial Institutions Week." Again, this resolution seeks to acknowledge the fortitude and commitment of minority financial institutions in providing economic stability to underserved communities, and further commemorates their unprecedented accomplishments.

PEACE IN THE GULF

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. ANDERSON. Mr. Speaker, I am overjoyed that peace has come at last. The U.S.-led coalition victory, in terms of speed and low loss of casualties, surpassed my most grand expectations. The much feared ground war turned out to be an overwhelming rout. The performance of our fighting men and women has been nothing less than magnificent. I also applaud our President, whose leadership throughout this ordeal has been a shining light to the American people and the world community. He preserved a coalition that no one thought could be sustained. He remained steadfast on the path set forth in the U.N. resolutions. He kept this war limited, despite the efforts of Saddam Hussein to expand it. And he gave the U.S. Armed Forces the latitude needed to win this war at the lowest possible cost to American life.

Saddam Hussein started this war. Now, he has lost it in convincing fashion. From the performance of his army, it is clear that the Iraqi people were not behind him. Unfortunately, many paid with their lives for his folly.

I am deeply sorry that it took the lives of 79 U.S. soldiers for him to unconditionally accept the terms of the U.N. resolutions. Nothing can replace those young lives, but those men and women died knowing their cause was just. We will mourn for them, as we are at the same time thankful our casualties were so few.

The American people showed great resolve throughout this conflict, defying the naysayers and those who think peace can be had without sacrifice. The public's faith in our soldiers and our cause was the real reason why this war

was won so handily. We have reaffirmed that this Nation cannot shy away from struggling against those who would violate our principles and interests and reject the standards of international behavior. I believe we have put the fears of Vietnam behind us.

Now we turn to the task of peace. It will not be easy. Saddam Hussein must be held personally accountable for his atrocities against the nation and people of Kuwait. Those responsible for war crimes must be held individually accountable. We must ensure that the financial costs of this war are not carried by the American taxpayer alone. And finally, we must seek a true and lasting peace in the Middle East. This will require the help and cooperation of all nations in the region. It must not require a permanent American troop presence. Let us get our soldiers home.

THE INTERNATIONAL FAMILY PLANNING PROTECTION ACT

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. ATKINS. Mr. Speaker, I rise today to reintroduce legislation which I sponsored in the last Congress, the International Family Planning Protection Act. This legislation, designed to reverse the Mexico City policy, will ensure that women throughout the world are able to receive complete and accurate family planning information.

Since its inception in 1985, the Mexico City policy has proven to be an abject failure in achieving its only goal: reducing the number of abortions performed worldwide. This policy, which prohibits U.S. population assistance from being channeled through any nongovernmental organizations that provide counseling about abortion as one of their services, only limits the availability of quality family planning services. Curiously, the Mexico City policy does not apply to foreign governments or governmental organizations.

Under the Mexico City policy, countries which have legalized abortion, and counsel women about abortion through their governmental organizations, may receive U.S. aid. These governmental entities must simply agree to keep the U.S. funds in a separate bank account, and promise not to use any of the U.S. funds to actually perform abortions. Nongovernmental organizations can not receive funding even if they use the separate accounting procedures, and even if they do not perform abortions. This double standard sends out a mixed message to other nations, and further confuses the entire family planning issue.

The International Family Planning Protection Act eliminates this double standard by mandating that nongovernmental organizations are funded based upon the same guidelines as foreign governments or governmental organizations. The International Family Planning Protection Act will not allow U.S. aid to be used to pay for abortions. This legislation will succeed where the Mexico City policy has failed, in ensuring that all women have access to adequate family planning services.

The country of Romania provides a perfect case study, vividly depicting how the Mexico City policy has failed. Slightly over 1 year ago, Romanians overthrew their tyrannical dictator, Nicolae Ceausescu. In his effort to increase the population of Romania to over 30 million by the turn of the century, Ceausescu outlawed abortion and all forms of contraception for women who had not borne at least five children. The Securitate, Ceausescu's secret police, routinely inspected women in hospitals and sent doctors into the workplace, searching for signs of contraceptive use or attempts to induce abortion or miscarriage.

After the December 1989 revolution, the provisional government in Romania immediately legalized abortion and family planning. While this served to reduce the nation's astronomical maternal mortality rate—85.3 percent of which were the result of illegal abortions—it also illuminated the notable absence of adequate family planning services and resources. It became clear that without family planning services, abortion would be the sole birth control option available to Romanian women.

Recognizing the tremendous need in Romania, the House of Representatives voted on June 27, 1990 to earmark \$1.5 million in humanitarian assistance for family planning in Romania. Because of the restrictions imposed by the Mexico City policy, none of these funds could be directed to the two international organizations already operational in Romania, the International Planned Parenthood Federation [IPPF] and the United Nations Fund for Population Activities [UNFPA].

The earmarked funds were instead channeled through the United States Agency for International Development [AID], an agency that has no choice but to abide by the restrictive Mexico City policy. Although AID recently announced that they intend to name the Center for Development and Population Activities [CEDPA] as the primary contractor for the grant, to date none of the \$1.5 million has been spent in Romania. AID has wasted precious time through its efforts to comply with the Mexico City policy. The past 6 months have been spent assessing the situation in Romania and attempting to find contractors and create programs that will comply with the Mexico City policy, rather than providing the needed emergency relief.

While the U.S. funds have been entangled in the bureaucratic web that the Mexico City policy has created, women in Romania have suffered. They have been forced to rely on abortion since family planning resources and services are not readily available. In a country with a population of 23 million, over 1 million abortions have been performed in the past year alone. The number of abortions nearly triples the live birth rate of 375,000 for 1989. In light of these facts, can we honestly say that the Mexico City policy has helped to lower the number of abortions and increase the quality of family planning in Romania? I think not.

Mr. Speaker, those who call themselves pro-choice and pro-life alike can surely agree that reducing the number of abortions performed worldwide is an important and achievable goal. The most effective way to decrease the abortion rate is to decrease the number of unwanted pregnancies. Clearly, this can only be done by increasing awareness about con-

traceptives and their use, and increasing the availability of contraceptive resources. The Mexico City policy serves no purpose other than to frustrate these family planning efforts.

The reversal of the Mexico City policy is not about promoting abortion. Anyone who says it is, is simply trying to cloud the issues. U.S. foreign aid dollars have never been allowed to directly pay for abortions, and my legislation will not change this fact. The reversal of the Mexico City policy is about effective and compassionate family planning. It is about making sure that women worldwide have access to the information, services, and resources that will allow them to prevent unwanted pregnancies. It is about ensuring that tragic situations like the current one in Romania—where women are forced to rely on abortion because no other resources are available—do not become commonplace as the result of our misguided policy.

LET'S PROTECT EMPLOYEES
FROM ELECTRONIC MONITORING
IN THE WORKPLACE

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. WILLIAMS. Mr. Speaker, today I rise to introduce legislation to protect employees by providing them a right to know when they are being monitored or recorded electronically while performing their jobs. This is a bipartisan bill that had more than 115 cosponsors in the 101st Congress—H.R. 2168—and today I am being joined by a broad, bipartisan group of 34 original cosponsors in introducing this bill.

At a minimum, workers have a right to know when their actions are being recorded. This bill would require employers to give their workers prior notice of the types of electronic monitoring that will be used and how they will be used. When monitoring is actually taking place, employers would have to provide their workers with a signal light, beeping tone, verbal notification, or other notice to indicate that monitoring is occurring.

The bill also includes provisions to: require that all monitoring is relevant to the employee's work performance; guarantee an employee access to data collected about his or her work; and limit disclosure and use of the data by the employer. This bill would bar employers from collecting data about their employees' exercise of first amendment rights. Employers violating any of the bill's protections would be subject to civil penalties of up to \$10,000.

Increasingly, office workers and other employees are subject to sophisticated forms of electronic monitoring: Telephone systems capable of logging the time and duration of every call, or that allow supervisors to listen in on the conversations of employees and customers; video cameras secretly placed in employee locker rooms; computers that count the number of keystrokes per minute, the number of errors and corrections per hour, and even the length of restroom breaks.

HONORING THE U.S. MERCHANT
MARINE ACADEMY

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. SCHEUER. Mr. Speaker, as the war in the Persian Gulf appears to be nearing the end of military conflict, there are many hard working, brave men and women who deserve recognition and praise.

Today, I would like to single out one group, who, coincidentally were the only members of the American Military Establishment not recognized by President Bush in his State of the Union Address: The merchant marine.

I am honored to have the home of the U.S. Merchant Marine Academy at Kings Point, NY located in my district. Though not as high a profile as the rest of the services, it nonetheless has played, throughout Desert Shield and Desert Storm, a critical role in the allies' effort to restore stability and peace to the Middle East.

Mr. Speaker, at least 15 million tons of cargo, oil, and supplies were delivered to the troops, 95 percent of it transported by ship. There is a ship every 100 miles in the 12,000-mile sea route. The Merchant Marine Academy has supplied midshipmen who are second and third year students to serve in the gulf as part of their mandatory at-sea training. These young men and women are serving with valor to supply the allied effort; virtually every U.S. ship in the gulf has employed the services of these fine academy students. In addition, the Merchant Marine Academy has recruited a number of alumni from the classes of 1955-1985 to re-enlist in service to the country during this war effort.

The U.S. Merchant Marine Academy is a Federal institution serving the merchant marine; the only curriculum of its kind to include two tours of sea duty. Before they graduate, cadets work either on deck or in the engine room, and also must complete academic assignments. After graduation, they are obligated to 5 years of service to our country.

Mr. Speaker, the maritime industry is an important part of the U.S. economy. The graduates of the Academy are an integral part of the civilian effort backing the Persian Gulf war. Without their many talents, and the hard work of the midshipmen from the Academy, the Navy's Military Sealift Command would not have been able to fully activate the necessary Ready Reserve Fleet to supply the troops fighting the war.

Because of the manpower supplied by the cadets, and the willingness of talented alumni to leave their positions on shore to support the war effort, the critical process of shipping supplies to the gulf went smoothly and on target. Yet this is nothing new. Since World War II, in Korea and in Vietnam, Merchant Marine Academy midshipmen have eagerly completed their shipboard training during wartime in support of United States efforts.

Mr. Speaker, it is fitting at this time that we recognize the unique and important contribution of the Merchant Marine Academy, the young men and women serving as cadets, and the alumni, especially those who are play-

ing an active role in the allied effort in the Persian Gulf. Each of them is the personification of the Academy motto, "Acta Non Verba," "Deeds Not Words." It is my sincere pleasure to salute the U.S. Merchant Marine Academy, and the Superintendent, Rear Adm. Paul Krinsky, for all their work, dedication, and patriotism, now and since the first year of their founding almost half a century ago.

TRIBUTE TO THE LATE STATE
SENATOR JIM EZZELL

HON. TIM VALENTINE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. VALENTINE. Mr. Speaker, it is with profound sadness that I rise to acknowledge the death last month of one of the most distinguished members of my State's senate, Senator Jim Ezzell of Rocky Mount.

Jim Ezzell was one of the most remarkable individuals ever in public life in North Carolina. Disabled from birth, he faced obstacles that most of us never encounter or even understand. His parents fought hard to ensure that he had an opportunity for an education despite being denied entrance to the local public schools on two different occasions. Throughout his life, his mobility was severely limited, and he used a motorized cart or crutches to move around.

Yet Jim Ezzell completed a top quality education at Wake Forest University and Wake Forest Law School, became an outstanding attorney, and served in both the North Carolina House of Representatives and Senate as well as a district court judge.

These are impressive achievements for anyone, but Jim Ezzell's ability and contributions to his community and State cannot be understood by merely reading his résumé. He made a positive and permanent impact that is impossible to measure.

Jim Ezzell was the conscience of the legislature. His consuming interest was in how individual citizens and families are affected by government. His concern was for those who need help: Pregnant women and babies without access to medical care; children with inadequate nutrition; people with physical or other disabilities; citizens in need of job training or education. He battled to give every person a chance to succeed.

Jim Ezzell was also an inspiration to everyone who came into contact with him. His advice to people was: "Be a dreamer, be a worker, be a believer."

Perhaps others have often given similar advice. But Jim Ezzell was living proof that it worked. Every day he demonstrated that people could achieve their dreams, could overcome obstacles, and could succeed if they dedicated themselves to reaching their full potential.

Jim Ezzell had a physical disability, but that was not what his friends, colleagues, and constituents noticed when they were with him. His intelligence, his compassion, his wit, and his genuine friendliness defined him much more than his crutches.

I am proud to have been Jim Ezzell's friend. We represented the same people in our re-

spective elective offices, and I know the warmth and respect that his constituents felt for him. Those sentiments were well-deserved. Jim Ezzell put the interests of the people he represented above all else. He earned his electoral successes through dedication and perseverance.

Jim's wife, Patsy, is also a dear friend, and she and their three sons can be extremely proud of every aspect of Jim's life. He has left a legacy of concern for individuals that will inspire North Carolina public officials for many years.

Late in his life, Jim Ezzell spoke of his early years when he, a Baptist in the North Carolina of the 1940's, attended a Catholic school because he had been denied a public education. He recalled that the Catholic nuns had imparted an important lesson:

They taught me that I was worth something, that God loves me like he loves all human beings. My boundary was my imagination and determination.

Jim Ezzell not only learned and lived by that lesson; he taught it to others. We are all worth more because of his example and contributions, and we should all be inspired to use our imagination and abilities. All North Carolinians are richer because of Jim Ezzell. He will be sorely missed, but his example will live on. I take great pride in saluting him.

INDUSTRIAL DEVELOPMENT BONDS CREATE OPPORTUNITIES FOR ECONOMIC GROWTH AND JOBS

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. COYNE. Mr. Speaker, today, I am introducing legislation to extend for 5-years the Small Issue Industrial Development Bonds Program.

Congress can restore some predictability to this vital economic growth program by providing a 5-year extension of the tax exemption for Industrial Development Bonds. The time has come to provide State and local governments with confidence that IDB's will be maintained without the annual suspense as to whether IDB's will be extended.

Reliable access to capital is vital for small manufacturing firms. IDB's allow small businesses across the United States an improved opportunity to expand and provide new jobs by reducing the cost of financing.

State and local industrial development agencies use IDB issues to provide small manufacturers with access to investment capital at interest rates lower than that available through commercial lenders. For these small manufacturers, however, IDB funds are more than simply an inexpensive source of capital investment; these bonds often represent the only practical source of capital available.

The preservation and expansion of the U.S. manufacturing sector will be enhanced by continued access to much needed IDB capital for small firms. Large corporations often have ready access to financing, either from equally large banks or by issuing their own commer-

cial bonds. Around the country, however, small manufacturers often find it difficult to find the financing they require if they are to grow and offer new job opportunities. All too often, the capital requirements of small manufacturers exceed the resources of small community banks but are too limited to interest large distant banks or bond speculators.

IDB's are among the most important economic growth tools at the disposal of State and local governments. The Advisory Commission on Intergovernmental Relations [ACIR] and the Urban Institute conducted a survey of State bond authorities and reported in 1989 that State and local IDB's amounted to \$3.2 billion or 21 percent of the total private activity bonds issued that year. Only the Mortgage Revenue Bond Program represents a larger proportion of State and local bond activity.

As a result of this sizable investment of IDB funds, thousands of small manufacturers have been able to modernize equipment, expand operations and build new plants. These small manufacturers offer one of the best chances to create much needed opportunities for employment.

With the U.S. economy in recession and unemployment rising, these small firms are all the more important to the health of local communities. Small businesses account for the bulk of new jobs in the United States. According to research at the Massachusetts Institute of Technology, U.S. firms with fewer than 100 employees generated almost 90 percent of the roughly 18 million new jobs between 1977 and 1985.

As Japanese products continue to pour into the United States and the European Community proceeds with its 1992 economic integration program, Congress must not turn its back on the needs of small businesses. By acting now to provide small manufacturers with reliable access to IDB funds, the United States can move more rapidly out of the current recession and meet foreign competition.

IDB's have become all the more central to meeting the capital needs of small manufacturers as other Federal economic growth programs have been cut over the past decade. For example, in 1981, Congress appropriated \$4 billion for Small Business Administration [SBA] guaranteed loans and another \$219 million in SBA 7(a) direct loans. This compares with the significantly reduced fiscal year 1989 appropriations of \$2.4 billion in guarantees and \$87 million in direct loans.

The IDB Program has been the subject of extensive reform and congressional review over the past decade. A general overhaul of the program was achieved under 1984 and 1986 tax reform legislation.

As a result of reforms in the IDB program, the total amount of tax exempt small issue bonds has diminished since the 1984 high of \$17.3 billion. In 1989, approximately \$3.2 billion of IDB's were issued by State and local governments. Yet, the United States is getting increased value for its tax expenditure dollars from this streamlined program.

IDB eligibility has been restricted to small manufacturing firms, with no single bond issue exceeding \$10 million and a \$40 million cap on total tax exempt bonds outstanding per firm. In addition, IDB's have been subjected to statewide bond volume caps of \$50 per capita

or \$150 million in small States, and most compete with other State and local programs, such as mortgage revenue and student loan bonds, for the limited pool of funds allowed under the cap.

No longer are retail firms, fast food restaurants or real estate developments eligible for IDB's. With limits on the amount of IDB funds available to any one firm, this program is best suited for the small manufacturing firms which are so important to the modern American economy. Nearly half of the U.S. manufacturing work force now works in firms with fewer than 250 workers, a dramatic shift from the 1970's, when the average factory employed 650 workers.

IDB's allow State and local communities to assist small manufacturers and target funds to firms that show the most promise of offering much needed new jobs. New York City Industrial Development Agency Chairman Leressa Crockett reported last year that minorities accounted for 61 percent and low- and moderate-income individuals accounted for 58 percent, respectively, of the new employees hired by firms receiving IDB financing in that city.

Smaller communities across America also benefit from access to IDB's. During 1990, the State of Arkansas initiated 11 new IDB funded projects worth \$17.9 million which helped that State create or retain over 1,000 jobs. For the small cities and towns of our country, limited access to investment capital is often a significant barrier. By helping States and local communities to overcome this barrier, IDB's help States like Arkansas create new jobs and help industries expand.

IDB funds often provide the vital linchpin for companies seeking private capital investment. By qualifying at the State and local level for IDB funding, many companies strengthen their position to compete for scarce private investment funds. For example, the State of New Jersey provided \$15 million in IDB funds for 11 projects that were then able to attract another \$30 million in leveraged private investment.

States in every part of our country have found that IDB's play a valuable and integral part in their industrial growth strategies. Even States known for their ability to attract large amounts of domestic and foreign private investment find that IDB's enable them to help local communities and small manufacturers that are still not able to attract needed capital investment. By helping these small manufacturers bridge the gap between their own capital resources and the level of commercial activity likely to attract private capital investment, IDB's encourage broad-based industrial expansion and job creation. For example, the State of California, with all of its private capital resources, still found that in 1990, IDB's could play a valuable role in creating 1,633 jobs through the use of \$58.3 million in IDB funding.

Last year, as part of the Omnibus Budget Reconciliation Act of 1990, Congress approved a 15-month extension, retroactive from October 1, 1990 to December 31, 1991, of State and local government authority to issue qualified small issue Industrial Development Bonds. In similar 1989 legislation, Congress extended IDB's until September 30, 1990.

Yet, there are strong reasons for providing a more lengthy extension of IDBs. According to the ACIR and Urban Institute survey, many respondents reported that uncertainty over IDB sunsets have led to an acceleration in demand for bond funds in order to beat sunset dates, when such demand might otherwise have been deferred. With State bond volume caps in place, these surges in demand create problems in allocating funds within the IDB Program and among other bond issues, such as mortgage revenue and student loan programs.

According to 1990 Joint Committee on Taxation estimates, last year's 15-month extension of IDBs will cost \$300 million over 5 years. Yet, the examples cited above indicate that Industrial Development Bonds are providing the crucial means of promoting economic expansion and job creation at the State and local level.

The reforms of this program have strengthened it, and have led many of my House colleagues to actively support its extension. Last year, over 170 House Members cosponsored legislation which would have extended Industrial Development Bonds. In addition, IDB extension is actively supported by the National Governors' Association, the National League of Cities, the U.S. Conference of Mayors, and the U.S. Chamber of Commerce.

At this time, over 60 Members of the House have signed on as original cosponsors of my proposal calling for a 5-year extension of the Industrial Development Bond Program.

Mr. Speaker, the IDB Program deserves the support of the House. I urge my colleagues to join me in cosponsoring this legislation to extend for 5 years this important economic growth program.

CALIFORNIA BANKER'S ASSOCIATION STAND ON ISSUES FACING FINANCIAL INDUSTRY

HON. FRANK RIGGS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. RIGGS. Mr. Speaker, California's most powerful bank lobbying group is calling for a law mandating early closure of troubled banks, the most important element in their newly released position on the bank restructuring issues under consideration by Congress.

The California Banker's Association is among the first in the Nation to take a stand on key issues facing the financial industry now that it is facing enormous losses caused by bank and S&L failures in recent years.

In an effort to stop the decline in the Bank Insurance Fund which covers losses at failed banks, the association is calling for regulators to stop allowing banks to run up large losses before seizing them, a controversial position likely to cause cries of outrage from struggling banks.

The CBA report recommends that "banks reaching the trigger for insolvency—perhaps a 2 percent capital level—would either be forced to merge or be closed down, while their assets are still marketable. This new imposed discipline will ensure minimal costs to the BIF."

E.D. "Gus" Bonta of Santa Rosa, former president and executive director and now a consultant of the California Banker's Association, said, "There are too many political decisions that come into play. Why should we re-finance BIF just to keep alive a bad bank that will be a competitor and force up interest rates? We feel very strongly that this money should not go for forbearance—keeping open an insolvent bank."

Typically, a bank nearing insolvency will pay high interest rates to attract badly needed deposits, thus siphoning deposits away from stronger institutions.

Bonta was president of the California Banker's Association in 1982 and executive director from 1983 to 1989. He was president of the Bank of Sonoma County when it was purchased by Westamerica in 1983.

The Bush administration earlier this month presented its plan for restructuring the banking industry, but Bonta said it failed to address the most important issue, recapitalization of the Bank Insurance Fund.

"They didn't talk about how to raise the money, and that's the one thing FIRREA—the S&L bailout bill—said they should do," Bonta said.

The association says it wants any proposed recapitalization of the dwindling Bank Insurance Fund to be accompanied by a restructuring of deposit insurance, regulators, and bank powers.

Emphasizing that he was speaking for himself and not for members of the CBA, Bonta said, "I also feel it's very necessary to have linkage between refinancing BIF and expanding activity for banks. If not, you're going to soak the banks with additional expenses to re-finance BIF but not give them a way to raise money to pay for this."

The California Banker's Association takes the position that a large one-time assessment to recapitalize the Bank Insurance Fund is not necessary, because the depth of the insurance fund's needs are not yet known.

Instead, the CBA supports a pay-as-you-go mechanism that would raise money as needed by issuing bonds that banks would repay.

Other issues addressed by the association included:

If any bank is deemed too big to be allowed to fail, the expense of saving the bank should be borne by the U.S. Treasury and not by the Bank Insurance Fund.

Deposits should continue to be insured to \$100,000.

Deposits that one bank places with another should not be insured.

Deposits placed by deposit brokers should not be insured. Brokers typically represent large investors like pension funds.

Banks that use depositors' money for riskier loans or investments should have to pay higher insurance premiums to the Bank Insurance Fund.

Banks should have to pay insurance premiums to cover their foreign deposits.

The association fully supports interstate banking.

The association supports broader powers for banks.

Regarding these broader powers, Bonta said, "Regulators need to understand that when expanded powers came for S&L's, there

weren't enough examiners. I think there has to be an agreement that if banks are going to get into it, there must be more examiners and examiners who understand it."

Bonta recalled that when the State banking department proposed cutting the number of examiners a few years ago, as a cost-cutting move, California banks said no.

He said that though he believed important changes need to be made in the financial industry, he doubts there are any national leaders strong enough to accomplish major reform.

ALASKA PENINSULA WILDERNESS DESIGNATION ACT OF 1990

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing a bill entitled as the Alaska Peninsula Wilderness Designation Act of 1990. This bill provides for the designation of approximately 2.9 million acres of wilderness in the Aniakchak National Monument and Preserve, the Alaska Peninsula National Wildlife Refuge, and the Becharof National Wildlife Refuge. In addition, the legislation also authorizes the acquisition of approximately 275,000 acres of selection rights of Koniag, Inc., a native regional corporation with interests in lands in these three conservation units. With this acquisition these units will in essence be made whole.

It may be hard to believe that I would support, much less sponsor, a bill that provides for wilderness. My opposition to wilderness designation has always been to broad sweeping designations advocated by some over the objections of local residents to preclude any opportunity for development. That is not the case here. The proposed designations do not conflict with the transportation and access corridors identified by the Bristol Bay plan. The designations have local support. The designations made by this legislation have been reviewed by the administration. They will not prevent the continued use of these lands by the sportsman and the subsistence hunter.

Additionally, Mr. Speaker, wilderness suitability determinations for the three conservation system units on the northern Alaska Peninsula—Alaska Peninsula NWR, Becharof NWR, and Aniakchak National Monument and Preserve—were made by the National Park Service and Fish and Wildlife Service pursuant to the mandate of the Alaska National Interest Lands Conservation Act. These determinations recommended that wilderness designations be made for approximately 2.8 million acres. Of these lands, 590,000 acres are in the Aniakchak National Monument and Preserve, 1,876,000 acres in the Alaska Peninsula NWR, and 347,000 acres in the Becharof NWR. The wilderness reviews for these three units stress the suitability of these lands for wilderness status and points out that the diversity of wilderness values present in these lands makes them truly unique areas in the State of Alaska. Excluded from these recommendations for wilderness designation, however, are those lands which were identi-

fied by the Bristol Bay plan as access corridors.

A major impediment to such wilderness designations is the existence of certain selection rights of Koniag, Inc. for the oil and gas estate underlying 275,000 acres under the provisions of the Alaska Native Claims Settlement Act. Such selection rights will not only preclude a wilderness designation with respect to the lands involved but the exploration and development of the oil and gas estate could also modify the wilderness values of the adjacent lands as well as those lands required for access. In the case of Aniakchak National Monument and Preserve over 30 percent of the lands found suitable for wilderness are not eligible for wilderness designation because they are directly subject to Koniag's selection rights. The development of such rights could also impact the wilderness values of a significant number of additional acres not directly subject to the right.

As the result of urgings from Alaska environmentalists, Koniag agreed to explore various alternatives for the exchange with or relinquishment to the United States of these selection rights. Given the general unavailability of satisfactory Federal lands in Alaska and elsewhere, a direct exchange does not appear to be likely. Likewise, in light of the already strong pressures on the resources of the Land and Water Conservation Act fund and other budget pressures, a direct purchase is also highly unlikely. Because of these factors, Koniag has indicated a willingness to accept certificates of value to be issued by the United States and which could be used with respect to Outer Continental Shelf oil and gas leases. Such certificates would be accepted by the United States as payment, in whole or in part, of bonuses or other cash payments or deposits in competitive lease sales conducted under the Outer Continental Shelf Lands Act, and of rentals and cash royalties on leases issued under such act. The certificates would be assignable, but only to entities qualified to bid and hold leases under the act.

The certificates of value would have face value equal to the value of the oil and gas rights selected and designated by Koniag for conveyance. This value would be determined by an independent qualified appraiser utilizing the methodology customarily used by the Mineral Management Service of the Department of the Interior in valuing such interests. The appraiser would be selected by the mutual agreement of Koniag and the Secretary. Koniag would have 180 days after the valuation determination is made to relinquish its selection rights. Upon such relinquishment, the lands formerly subject to such rights would automatically become wilderness if they had otherwise been found suitable for wilderness in the wilderness studies performed by the Fish and Wildlife Service or National Park Service.

The use of the OCS certificates is appropriate both because of the similarity to the nature of the estate given up by Koniag and because it is revenues from such OCS sources which fund the Land and Water Conservation Act fund.

Seventy percent of the value ultimately received by Koniag from the use of transfer of the certificates, after the deduction of its costs,

would be sharable with all Alaska Natives under section 7(i) of the Alaska Native Claims Settlement Act.

The proposed legislation reflects a compromise by all parties. For the environmental groups, not all of the Federal lands in conservation units will be designated as wilderness. For those of us concerned about the need for access, the legislation will preserve intact those access corridors across the peninsula designated by the Bristol Bay plan. By acquiring the only substantial inholding—the Koniag lands—the Park Service and the Fish and Wildlife Service are able to effectively manage their lands without complications caused by third party development. OCS lease credits were selected as the method of compensating Koniag for several reasons. First, it avoids an exchange situation which would further diminish the remaining unreserved public lands in Alaska. By requiring the credits to be utilized for OCS leases only, no impact will be felt on State sharing. Since the revenues received by Koniag will be subject to being distributed under section 7(i), the funds will be spread throughout the State to all ANCSA corporations and all nonvillage shareholders.

The majority of these funds will flow directly into the economy of the State and be used to acquire goods and services from third parties, and invest in Alaska.

Mr. Speaker, I will cautiously move forward with this legislation. If this legislation becomes the vehicle for amendments which are contested, it will not pass, now or in the next Congress.

BIPARTISAN MAJORITY SUPPORTS RTC BURDENSARING AMENDMENT

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. KANJORSKI. Mr. Speaker, while much about the RTC funding bill has been controversial, one issue on which there was broad bipartisan support in the House Banking Committee, was on my burdensharing amendment. A majority of committee Republicans, as well as a majority of committee Democrats, voted for my amendment to require cost-sharing by States whose irresponsible actions created the financial disaster that we, our children, and our grandchildren, are now paying to clean up.

I want to alert my colleagues that in spite of the bipartisan support this amendment had in committee, there may be an effort to strip the amendment from the bill before it reaches the House floor.

As a result, I would like to share with the full membership of the House the text of a letter that my bipartisan cosponsors and I sent to the members of the Banking Committee explaining why cost-sharing is essential.

The American people are mad as hell about the cost of the savings and loan cleanup. It would be irresponsible of us to pass legislation providing another \$30 for this cleanup if we do not require those who created the problem to pay at least a portion of the cost of the cleanup.

Mr. Speaker, States which were negligent in examining and regulating their State-chartered savings and loans, and which dispensed charters and powers like candy, should not be given a free lunch at the expense of American taxpayers. They should be made to pay their fair share of the cost of the cleanup, which is what my burdensharing amendment requires.

I urge all members to insist that any new RTC funding bill include the burdensharing amendment which was approved by a bipartisan majority of the House Banking Committee.

The letter follows:

WASHINGTON, DC,
February 22, 1991.

DEAR COLLEAGUE: When the House Banking Committee meets on Tuesday, February 26th, to consider the Administration's request for additional funds for the Resolution Trust Corporation we will offer an amendment to provide greater equity in apportioning the cost of this catastrophe. Our amendment is based on proposals originally offered by Representatives Kanjorski and Kaptur during the original FIRREA debate, and the Northeast-Midwest Coalition's "State Thrift Deposit Insurance Premium Act" which attracted 100 co-sponsors in the 101st Congress.

Our amendment is based on the simple principle that to the extent possible those who are responsible for creating this mess should be required to pay for cleaning it up.

As the clean-up process is currently structured, federal taxpayers are the only ones who are paying for the clean-up. This is in spite of the fact that a handful of irresponsible state governments flagrantly abused the "dual banking" partnership giving out thrift charters and powers like candy, and by failing to properly regulate and examine their state-chartered thrifts. To date 45% of the resolution costs result from the failure of state-chartered thrifts. Now federal taxpayers are paying for their excessive risk-taking.

Our amendment requires the relatively small handful of states who abused the "dual banking" system to pay a special thrift deposit insurance premium if they wish to continue issuing state charters. In essence they will be given an opportunity to choose whether or not they wish to remain part of the "dual banking" system. If they do, they will have to bear a portion of the cost of paying for their past mistakes.

Enclosed is a more detailed summary of how the amendment would operate, as well as the proportion of the clean-up each state is responsible for, and the amount each state is paying for under the existing financing structure.

The existing financing structure was inequitable when the cost to federal taxpayers was only \$50 billion. It is unconscionable when that cost rises to \$80 billion in this bill (and to \$130 billion and beyond in future years).

If you believe in the concept of the "dual banking" system our amendment gives meaning to it by requiring that the rights and privileges of the system are accompanied by the responsibilities they entail.

Sincerely,

Paul E. Kanjorski, Gerald D. Kleczka, Toby Roth, Elizabeth J. Patterson, John J. LaFalce, Carroll Hubbard, Frank Annunzio, Bruce F. Vento, Marge Roukema, Richard E. Neal.

Members of Congress.

RESOLUTION OF DISAPPROVAL OF SCHEDULE OF HEIGHTS AMENDMENT ACT OF 1990

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. COMBEST. Mr. Speaker, today I am introducing a joint resolution which disapproves the District of Columbia Council Act (D.C. Act 8-329), the Schedule of Heights Amendment Act of 1990. I ask my colleagues to disapprove this council act as it directly violates the Home Rule Act (87 Stat. 774 (1973)).

The act passed by the District of Columbia Council would amend the Building Height Act of 1910—the "1910 act"—to increase the size of buildings that may be erected adjacent to a Federal public building—in this case, a multibuilding project adjacent to the Federal Bureau of Investigation headquarters and within sight of the White House. The merits of the building project aside, the Council's action clearly violates home rule and is unlawful.

The 1910 act sprang from early congressional efforts to execute Pierre L'Enfant's grand scheme calling for a beautiful Capital City with magnificent monuments, wide avenues, and sweeping vistas unmarked by urban blight and free of choking out-of-control city growth. Congress, recognizing a unique opportunity to create a wonderful Capital City for the new United States, authorized President Washington, in 1790, to draft up plans for a capital city and issue regulations to assure the city's orderly development. His regulations ultimately evolved into Congress passing the 1910 act which set forth maximum and minimum heights and setbacks for buildings to prevent the intrusion of building projects which would threaten the monumental and historic areas and special character of the National Capital. The 1910 act embodied the congressional intent that the act could be enforced but not changed by an entity other than Congress.

The 1910 act, as amended, continues to govern the height of buildings in the District today. Authority to enforce, but not to revise, the 1910 act resided with the Commissioners of the D.C. until 1967, when their responsibilities were transferred to a Presidentially appointed District of Columbia Council (81 Stat. 948). The authority of this council was subsequently transferred to the popularly elected Council of the District of Columbia pursuant to section 401 of the Home Rule Act codified at D.C. Code § 1-221 (1981).

One issue discussed heavily during the Home Rule Act debate was the extent and limits of authority and power to be given to the locally elected officials by Congress, especially control over Federal interests. I submit that the preservation of the unique views and vistas generated by the L'Enfant and McMillan plans which have guided development in the city for nearly two centuries is indeed well within the Federal interest. The lengthy debate resulted in the codification of various limitations on the authority of the Council by the passage of section 602(a) of the Home Rule Act (§ 1-233(a) of the D.C. Code).

Of particular importance is section 602(a)(6), (§ 1-233(a)(6) of the D.C. Code) which states:

The Council shall have no authority—to enact any act, resolution, or rule which permits the building of any structure within the District of Columbia in excess of the height limitations contained in § 5-405, and in effect on December 24, 1973.

The Council's passage of D.C. Act 8-329 would permit the building of a structure in excess of the height limitations contained in § 5-405, a direct violation of the limit of authority expressly set forth under the Home Rule Act, and accordingly, must be struck down.

To do any different, to abdicate congressional responsibility and Federal authority, would open the floodgates to similar moves by the Council, waiving the building height limitations on numerous buildings throughout the city allowing for uncontrolled growth under the guise of needed projects. Of course, failure to maintain Federal authority in this case could also lead to attempts to amend or circumvent other statutes as well as the 1910 act.

My resolution does not address the merits of the building covered in D.C. Act 8-329. I recognize the need of the city to generate additional revenue and to find increased housing for the city's population. However, these interests must not be satisfied through an illegal act, a direct violation of the D.C. home rule. On several occasions since 1910, the House Committee on the District of Columbia has reported legislation to amend the 1910 act and many of these bills were enacted into law. Some of the bills provided height exemptions, above those prescribed by the 1910 act, for specific buildings to be erected at designated locations. Congress, not the Council, has the authority to amend the law and provide for needed projects. If the building called for under D.C. Act 8-329 is needed, then specific legislation waiving the 1910 act's height limitations should be brought to Congress for its consideration.

In summary, D.C. Act 8-329 is a direct violation of the Home Rule Act and must be struck down. This resolution of disapproval, aside from immediate Council action, is the shortest, easiest, and most appropriate manner in which Congress can effect a remedy of this error. If the Council, the developer, or the Pennsylvania Avenue Development Corp. would like to have the building height limitation waived so that this project can go forward then separate legislation should be introduced for Congress' consideration and action. I, for one, pledge a fair hearing with an open mind on this project. I have no preconceived position on the building project and have approached this matter from the start as a simple violation of the Home Rule which this Congress must disapprove.

THE INTRODUCTION OF THE OSHA CRIMINAL PENALTY REFORM ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. LANTOS. Mr. Speaker, today, I have re-introduced legislation to beef up criminal pen-

alties under the Occupational Safety and Health Act [the OSH Act]. This bill grew from hearings before the Government Operations Subcommittee on Employment and Housing, which I chair.

Weak criminal penalty provisions of the OSH Act do not act as a deterrent for those few employers who willfully and recklessly expose workers to toxic substances and hazardous working conditions. Under current law, criminal penalties do not apply to workplace safety violations unless there is a resulting fatality. Safety violations which cause a serious and irreversible injury—such as loss of limbs or permanent brain damage—are not be considered a criminal violation of existing law.

The OSH Act provides that an employer convicted of violating worksite safety regulations which results in a worker's death may face up to 6 months in jail. Only two short jail terms have been imposed in OSHA's 20-year history. The legislation I am proposing today would increase the penalty to up to 10 years.

In addition, my bill adds serious bodily injury as a new section in the criminal provisions of the OSH Act. Current law provides for civil fines if an employer was found to have violated OSHA regulations resulting in worker injuries, even if the injuries are severe and permanent. My proposed legislation includes violations which cause serious injury as a criminal violation, with up to 7 years imprisonment upon conviction.

Small and underused criminal penalty provisions in the OSH Act were cited at the subcommittee hearing as an important reason why there have been so few criminal prosecutions by the Federal Government. My bill would put teeth into the OSH Act. Civil penalties for OSHA violations were increased sevenfold last fall as part of budget reconciliation. Unlike civil fines which can be passed on as part of the cost of doing business, the prospect of criminal prosecution and significant criminal penalties will do much to ensure that workplaces are safe and healthful.

Similar legislation has been introduced in the Senate, legislation which was passed by the Senate Labor Committee last year by a 2-to-1 margin. I urge my colleagues to join me in cosponsoring this important change to protect workers from dangerous, and even deadly, worksite conditions which should be and can be abated and avoided.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "OSHA Criminal Penalty Reform Act".

(b) REFERENCE.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

SEC. 2. CRIMINAL PENALTIES.

Section 17 (29 U.S.C. 666) is amended—

(1) in subsection (e)—

(A) by striking out "fine of not more than \$10,000" and inserting in lieu thereof "fine in accordance with section 3571 of title 18, United States Code,"

(B) by striking out "six months" and inserting in lieu thereof "10 years".

(C) by striking out "fine of not more than \$20,000" and inserting in lieu thereof "fine in accordance with section 3571 of title 18, United States Code," and

(D) by striking out "one year" and inserting in lieu thereof "20 years",

(2) in subsection (f), by striking out "fine of not more than \$1,000 or by imprisonment for not more than six months," and inserting in lieu thereof "fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 2 years,"

(3) in subsection (g), by striking out "fine of not more than \$10,000, or by imprisonment for not more than six months," and inserting in lieu thereof "fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 1 year,"

(4) by inserting after subsection (g) the following (and by redesignating subsections (h) through (l) as subsections (l) through (n), respectively):

"(h) Any employer who willfully violates any standard, rule, or order promulgated pursuant to section 6, or any regulation prescribed pursuant to this Act, and that violation causes serious bodily injury to any employee but does not cause death to any employee, shall, upon conviction, be punished by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 7 years, or by both, except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 14 years, or by both.

"(i) Any employer who willfully violates any standard, rule, or order promulgated pursuant to section 6, or any regulation prescribed pursuant to this Act, and that violation recklessly endangers human life but does not cause serious bodily injury or death to an employee, shall, upon conviction, be punished by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 5 years, or by both, except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 10 years, or by both," and

(5) by adding at the end the following:

"(o)(1) Any director, officer, or agent of an employer who willfully authorizes, orders, acquiesces, or carries out a violation, failure, or refusal to comply with safety or health standards under this Act shall be subject to the same criminal fines and imprisonment that may be imposed on a person under the applicable provisions of this section.

"(2) If a penalty or fine is imposed on a director, officer, or agent of an employer under paragraph (1), such penalty or fine shall not be paid (directly or indirectly) out of the assets of the employer on behalf of that individual."

SEC. 3. DEFINITION.

Section 3 (29 U.S.C. 652) is amended by adding at the end the following:

"(15) The term 'serious bodily injury' means bodily injury which involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious physical disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty."

SEC. 4. JURISDICTION FOR PROSECUTION UNDER STATE AND LOCAL CRIMINAL LAWS.

Section 17 (29 U.S.C. 666), as amended by section 2 of this Act, is amended by adding at the end the following:

"(p) Nothing in this Act shall preclude State and local law enforcement agencies from conducting criminal prosecutions in accordance with the laws of such State or locality."

AMERICAN WATERWAYS OPERATORS GOAL

HON. ROBERT W. DAVIS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. DAVIS. Mr. Speaker, I would like to draw the attention of my colleagues to a part of an editorial which appeared in the February 4, 1991, *Waterways Journal*. The editorial concerns the recent adoption of a guiding set of environmental principles by the American Waterways Operators, the national trade association of the domestic inland and coastal tug and barge industry. This industry, which moves 15 percent of the Nation's freight, including almost 30 percent of the Nation's petroleum and petroleum products, should be commended for taking a strong, proactive stand as a sign of its continuing environmental stewardship. The editorial follows:

[From the *Waterways Journal*, Feb. 4, 1991]

ZERO INCIDENTS GOAL

One of the latest official developments as regards the environment is The American Waterways Operators' announcement on January 22 that "The Association is completely committed to policies and practices which will maximize marine safety and environmental protection."

This national trade association has adopted a guiding set of environmental principles that state, in part, "AWO members are dedicated to continually improving operations in an effort to eliminate environmental incidents and to reduce environmental hazards to an absolute minimum." According to AWO president Joe Farrell, the adoption of these principles "solidify and articulate" this commitment within the barge and towing industry.

"There are strong business reasons why the member companies of AWO have taken this action," said Farrell. "It is fact that AWO member companies, like all companies, cannot survive indefinitely without earning profit. Nor can they any longer expect sustained commercial success without a reputation for strong environmental stewardship. In demonstrating environmental leadership, our industry's management moves toward a broadened responsibility for environmental protection, side by side with engaging in American business enterprise," he said.

The AWO points out that waterborne transportation industry plays an integral role in the commerce of the United States. Companies must develop a reputation for strong environmental stewardship in order to be commercially successful . . .

We don't think the adoption of these principles by the AWO in any way indicates that concern for the environment did not exist in the towing industry previously. But being sympathetic toward an issue is not enough. The time comes to take a stand. And that's what we think the AWO has done. AWO members should be applauded for it.

If the principles are followed to the letter, the association's action will produce positive results for the environment, for business and for the nation in general.

The barge and towing industry hauls 15 percent of the nation's freight on 26,000 miles of navigable inland and coastal waterways, including the Mississippi and Ohio river systems, the Gulf Intracoastal Waterway, and the Atlantic and Pacific coasts. In addition to petroleum, the industry moves one-fourth of all U.S. coal, well over half of the nation's export grain, and millions of tons of basic materials.

In order to eliminate environmental incidents and to reduce environmental hazards to an absolute minimum, the AWO members approved the following principles:

Make environmental protection a priority in business planning.

Maintain active and effective environmental policies and programs designed to protect the environment.

Conduct our business, and operate and maintain our vessels and facilities in a manner that protects the environment, as well as the safety of employees and the public.

Develop and implement company programs that address education, training, and communication of environmental policies and procedures. Emphasis will be placed on the importance of strict compliance with federal, state and local laws and regulations regarding marine safety and the environment.

Maintain and update emergency response plans that will allow companies to respond swiftly to environmental incidents and minimize environmental damage.

Actively participate with government and other interested parties in creating responsible laws, regulations and programs which safeguard the environment.

Seek out, or respond to, proposed environmental matters or concerns from either the public or private sectors.

Strive to reduce vessel-generated waste and emissions by improving operating procedures.

Work in partnership with manufacturers, shippers and vendors to enhance safe transportation of products and the management of cargo residues and cleaning wastes associated with the transportation of cargoes.

STATUS OF FEDERAL RETIREMENT APPLICATIONS PROCESSING

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. LLOYD. Mr. Speaker, in the past, newly retired Federal employees often faced insurmountable delays before they received their first pension check from the Government. Needless to say, this presented a great deal of hardship to these new retirees and their families, especially for those retiring due to poor health.

While the Office of Personnel Management [OPM] took much the heat for these delays, fingers began to point to the real culprits, the retirees' former employing agencies, many who gave the timely processing of needed paperwork a very low priority. As a result, many retirees were forced to borrow money or live off their savings, for up to 7 months in some cases, due to bureaucratic negligence by the

very agency to which they devoted their careers. This is certainly not the thanks one would expect on the eve of retirement.

The House Select Committee on Aging's Subcommittee on Housing and Consumer Interests, which I chair, found that in 1988, the employing agencies only got around to sending 45 percent of their retirement applications to OPM within 30 days from the date of the retirees' separations. Twenty-nine percent more drifted in between 31 and 60 days and an unconscionable 26 percent were finally received after 2 months and later. The subcommittee's former chairman introduced legislation with my support to fix this crisis and force the employing agencies to start performing their jobs correctly. The Federal Retirees Fairness Act, H.R. 1059, garnered the cosponsorship of 89 Members of this body.

The intent of the legislation was to act as an impetus to the employing agencies to provide every individual's retirement papers to OPM within 30 days of his/her separation from the agency, provide counseling to the employees on the necessary procedures they must complete at their end, and to require an annual report to Congress on the compliance of the employing agencies. A similar bill was introduced

in the Senate by Senator HEINZ and Senator GRASSLEY.

I am pleased to report that a legislative fix has to date proved to be unnecessary as congressional attention and oversight provided the necessary stimulus for improvement in this area. In December 1990, the Governmentwide total for records sent to OPM within 30 days was 85 percent. Only 2 percent were received after 60 days, a vast improvement from 1988. For the record, I have included two charts tracking Governmentwide submissions of retiree records since March 1986 which were provided by the OPM.

I am sorry to report however, that the District of Columbia still has a dismal record for processing their retirees' papers in a timely fashion. From September through December, 1990, OPM received only 18 percent of the D.C. government's retirement applications within 30 days. One-quarter of all newly retired employees' applications took over 60 days to reach the OPM, presenting a great deal hardship to members of a work force already hit by difficult times. Other agencies with equally poor past records have shown that is possible to provide substantial improvement to their applications processing. I urge both the D.C. government and the OPM to do all that they

can to bring about the drastic change needed for our capital city retirees.

On behalf of the newly retired employees, I would like to commend the Federal agencies for cleaning up their acts in order to provide their colleagues with a smooth transition to retirement. I would also like to assure Federal employees hearing this today that we in Congress will continue to provide the oversight needed to continue to improve the agencies' timely applications:

EXECUTIVE SUMMARY

This executive summary provides data on the timeliness of agency submissions of benefit-related applications and associated retirement records. Data shown represents the number and percentage of records received at OPM, broken down by the number of days between the employee's date of separation and the date the records are received at ESRC, Boyers, PA. In addition to Governmentwide totals (the sum of submissions from all agencies), the discrete data for those agencies with over 10,000 employees covered by CSRS and FERS is presented, as is the data for the Office of Personnel Management. The number of covered employees was derived from the semi-annual Headcount Report for March 1990, prepared by the Office of Financial Control and Management.

AGING OF SEPARATIONS REPORT [Period reviewed]

| Agency and report period | 0-30 | | 31-60 | | Over 60 | | Total records | Number employees with CSRS or FERS |
|---|--------|---------|--------|---------|---------|---------|---------------|------------------------------------|
| | Number | Percent | Number | Percent | Number | Percent | | |
| Governmentwide total: | | | | | | | | |
| October 1990 | 5,692 | 67 | 2,387 | 28 | 455 | 5 | 8,534 | 2,877,474 |
| November 1990 | 7,421 | 74 | 2,179 | 21 | 540 | 5 | 10,140 | |
| December 1990 | 19,595 | 85 | 3,042 | 13 | 462 | 2 | 23,099 | |
| Total 4th quarter, calendar year 1990 | 32,708 | 79 | 7,608 | 18 | 1,457 | 3 | 41,773 | |
| U.S. Postal Service: | | | | | | | | |
| October 1990 | 1,015 | 67 | 385 | 25 | 121 | 8 | 1,521 | 755,054 |
| November 1990 | 2,541 | 83 | 288 | 9 | 254 | 8 | 3,083 | |
| December 1990 | 7,017 | 87 | 936 | 12 | 101 | 1 | 8,054 | |
| Total 4th quarter, calendar year 1990 | 10,573 | 84 | 1,609 | 13 | 476 | 3 | 12,658 | |
| Department of Army: | | | | | | | | |
| October 1990 | 970 | 63 | 519 | 33 | 62 | 4 | 1,551 | 396,147 |
| November 1990 | 884 | 56 | 630 | 40 | 72 | 4 | 1,586 | |
| December 1990 | 1,663 | 75 | 450 | 20 | 111 | 5 | 2,224 | |
| Total 4th quarter, calendar year 1990 | 3,517 | 66 | 1,599 | 30 | 245 | 4 | 5,361 | |
| Department of Navy: | | | | | | | | |
| October 1990 | 538 | 54 | 406 | 41 | 49 | 5 | 993 | 316,827 |
| November 1990 | 722 | 65 | 348 | 31 | 46 | 4 | 1,116 | |
| December 1990 | 1,746 | 85 | 269 | 13 | 44 | 2 | 2,059 | |
| Total 4th quarter, calendar year 1990 | 3,006 | 72 | 1,023 | 25 | 139 | 3 | 4,168 | |
| Department of Air Force: | | | | | | | | |
| October 1990 | 999 | 86 | 143 | 12 | 18 | 2 | 1,160 | 256,163 |
| November 1990 | 790 | 71 | 285 | 26 | 31 | 3 | 1,106 | |
| December 1990 | 2,898 | 83 | 558 | 16 | 40 | 1 | 3,496 | |
| Total 4th quarter, calendar year 1990 | 4,687 | 81 | 986 | 17 | 89 | 2 | 5,762 | |
| Department of Veterans Affairs: | | | | | | | | |
| October 1990 | 479 | 74 | 101 | 16 | 66 | 10 | 646 | 218,543 |
| November 1990 | 437 | 85 | 74 | 14 | 3 | 1 | 514 | |
| December 1990 | 1,362 | 91 | 128 | 9 | 13 | 0 | 1,503 | |
| Total 4th quarter, calendar year 1990 | 2,278 | 86 | 303 | 11 | 82 | 3 | 2,663 | |
| Department of Treasury: | | | | | | | | |
| October 1990 | 242 | 87 | 29 | 10 | 7 | 3 | 278 | 168,125 |
| November 1990 | 191 | 86 | 22 | 10 | 9 | 4 | 222 | |
| December 1990 | 463 | 81 | 99 | 17 | 13 | 2 | 575 | |
| Total 4th quarter, calendar year 1990 | 896 | 83 | 150 | 14 | 29 | 3 | 1,075 | |
| Department of Agriculture: | | | | | | | | |
| October 1990 | 251 | 73 | 81 | 24 | 10 | 3 | 342 | 118,078 |
| November 1990 | 354 | 82 | 70 | 16 | 9 | 2 | 433 | |
| December 1990 | 860 | 84 | 154 | 15 | 12 | 1 | 1,026 | |
| Total 4th quarter, calendar year 1990 | 1,465 | 81 | 305 | 17 | 31 | 2 | 1,801 | |
| Department of Health and Human Services: | | | | | | | | |
| October 1990 | 343 | 87 | 45 | 11 | 6 | 2 | 394 | 114,200 |
| November 1990 | 330 | 84 | 59 | 15 | 4 | 1 | 393 | |
| December 1990 | 695 | 91 | 64 | 8 | 5 | 1 | 764 | |

AGING OF SEPARATIONS REPORT—Continued
[Period reviewed]

| Agency and report period | 0-30 | | 31-60 | | Over 60 | | Total records | Number employees with CSRS or FERS |
|---|--------|---------|--------|---------|---------|---------|---------------|------------------------------------|
| | Number | Percent | Number | Percent | Number | Percent | | |
| Total 4th quarter, calendar year 1990 | 1,368 | 88 | 168 | 11 | 15 | 1 | 1,551 | |
| Department of Justice: | | | | | | | | |
| October 1990 | 70 | 75 | 21 | 23 | 2 | 2 | 93 | 77,447 |
| November 1990 | 101 | 84 | 16 | 13 | 4 | 3 | 121 | |
| December 1990 | 159 | 85 | 23 | 12 | 5 | 3 | 187 | |
| Total 4th quarter, calendar year 1990 | 330 | 82 | 60 | 15 | 11 | 3 | 401 | |
| Department of Interior: | | | | | | | | |
| October 1990 | 151 | 84 | 23 | 13 | 6 | 3 | 180 | 67,212 |
| November 1990 | 190 | 82 | 26 | 14 | 7 | 4 | 183 | |
| December 1990 | 454 | 97 | 15 | 3 | 2 | 0 | 471 | |
| Total 4th quarter, calendar year 1990 | 755 | 91 | 64 | 8 | 15 | 1 | 834 | |
| Department of Transportation: | | | | | | | | |
| October 1990 | 61 | 26 | 174 | 72 | 6 | 2 | 241 | 64,518 |
| November 1990 | 189 | 64 | 97 | 32 | 13 | 4 | 299 | |
| December 1990 | 459 | 96 | 12 | 3 | 1 | 1 | 478 | |
| Total 4th quarter, calendar year 1990 | 709 | 70 | 283 | 28 | 26 | 2 | 1,018 | |
| Army Corps of Engineers: | | | | | | | | |
| October 1990 | 86 | 52 | 72 | 43 | 8 | 5 | 166 | 37,840 |
| November 1990 | 125 | 75 | 34 | 20 | 8 | 5 | 167 | |
| December 1990 | 333 | 86 | 47 | 12 | 9 | 2 | 389 | |
| Total 4th quarter, calendar year 1990 | 544 | 76 | 153 | 21 | 25 | 3 | 722 | |
| Department of Commerce: ¹ | | | | | | | | |
| October 1990 | 36 | 77 | 11 | 23 | 0 | 0 | 47 | 32,073 |
| November 1990 | 73 | 93 | 5 | 6 | 1 | 1 | 79 | |
| December 1990 | 231 | 93 | 18 | 7 | 1 | 0 | 250 | |
| Total 4th quarter, calendar year 1990 | 340 | 90 | 34 | 9 | 2 | 1 | 376 | |
| Government of the District of Columbia: | | | | | | | | |
| October 1990 | 18 | 14 | 80 | 59 | 37 | 27 | 135 | 27,249 |
| November 1990 | 8 | 12 | 33 | 50 | 25 | 38 | 66 | |
| December 1990 | 41 | 24 | 100 | 59 | 29 | 17 | 170 | |
| Total 4th quarter, calendar year 1990 | 67 | 18 | 213 | 57 | 91 | 25 | 371 | |
| National Aeronautics and Space Administration: | | | | | | | | |
| October 1990 | 56 | 64 | 24 | 28 | 7 | 8 | 87 | 23,885 |
| November 1990 | 55 | 86 | 7 | 11 | 2 | 3 | 64 | |
| December 1990 | 207 | 95 | 12 | 5 | 1 | 0 | 220 | |
| Total 4th quarter, calendar year 1990 | 318 | 86 | 43 | 12 | 10 | 2 | 371 | |
| General Services Administration: | | | | | | | | |
| October 1990 | 69 | 85 | 12 | 15 | 0 | 0 | 81 | 21,871 |
| November 1990 | 71 | 91 | 7 | 9 | 0 | 0 | 78 | |
| December 1990 | 194 | 95 | 10 | 5 | 1 | 0 | 205 | |
| Total 4th quarter, calendar year 1990 | 334 | 92 | 29 | 8 | 1 | 0 | 364 | |
| Administrative Office of the U.S. Courts: | | | | | | | | |
| October 1990 | 13 | 59 | 8 | 36 | 1 | 5 | 22 | 18,348 |
| November 1990 | 22 | 79 | 5 | 18 | 1 | 3 | 28 | |
| December 1990 | 35 | 90 | 2 | 5 | 2 | 5 | 39 | |
| Total 4th quarter, calendar year 1990 | 70 | 79 | 15 | 17 | 4 | 4 | 89 | |
| Supreme Court: | | | | | | | | |
| October 1990 | 0 | 0 | 8 | 89 | 1 | 11 | 9 | (?) |
| November 1990 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| December 1990 | 3 | 100 | 0 | 0 | 0 | 0 | 3 | |
| Total 4th quarter, calendar year 1990 | 3 | 25 | 8 | 67 | 1 | 8 | 12 | |
| Department of Labor: | | | | | | | | |
| October 1990 | 31 | 76 | 7 | 17 | 3 | 7 | 41 | 17,906 |
| November 1990 | 66 | 90 | 7 | 10 | 0 | 0 | 73 | |
| December 1990 | 141 | 95 | 8 | 5 | 0 | 0 | 149 | |
| Total 4th quarter, calendar year 1990 | 238 | 91 | 22 | 8 | 3 | 1 | 263 | |
| Department of Energy: | | | | | | | | |
| October 1990 | 29 | 83 | 6 | 17 | 0 | 0 | 35 | 16,703 |
| November 1990 | 53 | 93 | 4 | 7 | 0 | 0 | 57 | |
| December 1990 | 84 | 89 | 8 | 9 | 2 | 2 | 94 | |
| Total 4th quarter, calendar year 1990 | 166 | 89 | 18 | 10 | 2 | 1 | 186 | |
| Environmental Protection Agency: | | | | | | | | |
| October 1990 | 19 | 66 | 9 | 31 | 1 | 3 | 29 | 14,923 |
| November 1990 | 28 | 76 | 8 | 22 | 1 | 2 | 37 | |
| December 1990 | 57 | 93 | 3 | 5 | 1 | 2 | 61 | |
| Total 4th quarter, calendar year 1990 | 104 | 82 | 20 | 16 | 3 | 2 | 127 | |
| Department of Housing and Urban Development: ¹ | | | | | | | | |
| October 1990 | 23 | 80 | 5 | 17 | 1 | 3 | 29 | 12,993 |
| November 1990 | 51 | 94 | 2 | 4 | 1 | 2 | 54 | |
| December 1990 | 98 | 84 | 17 | 15 | 1 | 1 | 116 | |
| Total 4th quarter, calendar year 1990 | 172 | 86 | 24 | 12 | 3 | 2 | 199 | |
| Office of Personnel Management: | | | | | | | | |
| October 1990 | 10 | 59 | 4 | 24 | 3 | 17 | 17 | 6,904 |
| November 1990 | 9 | 64 | 4 | 29 | 1 | 7 | 14 | |
| December 1990 | 31 | 86 | 4 | 11 | 1 | 3 | 36 | |

AGING OF SEPARATIONS REPORT—Continued
[Period reviewed]

| Agency and report period | 0-30 | | 31-60 | | Over 60 | | Total records | Number employees with CSRS or FERS |
|---------------------------------------|--------|---------|--------|---------|---------|---------|---------------|------------------------------------|
| | Number | Percent | Number | Percent | Number | Percent | | |
| Total 4th quarter, calendar year 1990 | 50 | 75 | 12 | 18 | 5 | 7 | 67 | |

¹ Reported submissions included those processed through Department of Agriculture's National Finance Center.² Covered employees for the Supreme Court are included in the total shown for the Administrative Office of the U.S. Courts.THE NUCLEAR POWERPLANT
STANDARDIZATION AND LICENSING
REFORM ACT OF 1991

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. CLEMENT. Mr. Speaker, last night, the President ordered a cease-fire in the Persian Gulf war and announced a new postwar strategy in the aftermath of the war. Any sound and reasonable postwar strategy must include consideration of our Nation's energy policy. As part of that effort, today, I rise to introduce the Nuclear Powerplant Standardization and Licensing Reform Act of 1991.

For too long, our Nation lacked a national strategy that provides energy security. Events in the Middle East have shattered any notion that further inaction can be tolerated. If we, as a nation, are going to reduce our dependence on foreign oil, Congress must restore the nuclear energy option.

Currently, nuclear powerplants generate about 20 percent of our Nation's electricity. Nuclear power is a proven electricity-generating technology that emits no sulfur dioxide, nitrogen oxides, or greenhouse gases. And, in terms of public health consequences, the safety of the U.S. nuclear power industry has been excellent. With respect to energy security, the United States would not have to depend on foreign fuel supply.

Unfortunately, the United States has lost its ability to construct nuclear powerplants. Huge cost overruns and regulatory problems have led to extreme reluctance by U.S. utilities to order new nuclear plants. All U.S. reactors ordered since 1973 have been canceled, and no orders have been placed since 1978.

When I served on the TVA Board of Directors from 1979 to 1981, I experienced firsthand problems associated with its nuclear program. TVA originally planned to construct 17 reactors at a total cost of \$6 billion. The total cost today is over \$18 billion. The Watts Bar Plant in Tennessee has been under construction for 19 years and still may be several years from completion. However, industry studies conclude that standardization and licensing reform will reduce construction costs by 55 percent and result in plant operations within 6 years after the start of construction.

To add certainty and predictability in the licensing process while at the same time preserving the Nuclear Regulatory Commission's authority to take any action necessary to protect the public health and safety, I am introducing the Nuclear Powerplant Standardization and Licensing Reform Act. This legislation in no way diminishes the responsibility of the NRC to determine license conformance and to

assure the complete safety of nuclear powerplants.

The legislation is designed to encourage the development and use of standardized plant designs and improve the nuclear licensing and regulatory process. I believe this legislation provides a solid foundation for the NRC to implement a process which will provide reasonable assurance that a plant constructed in accordance with its license will be allowed to operate without undue delays. Furthermore, it will make the business of nuclear utilities more attractive to investors and help these companies to raise needed capital at a reasonable cost.

For the benefit of my colleagues, a summary of the Nuclear Powerplant Standardization and Licensing Reform Act of 1991 appears after my remarks. I urge my colleagues to take a look at this legislation and consider supporting it.

SUMMARY OF THE NUCLEAR POWERPLANT
STANDARDIZATION AND LICENSING REFORM
ACT OF 1991

PURPOSE

To encourage the development and use of standardized plant designs and improve the nuclear licensing and regulatory process.

APPROVAL OF STANDARDIZED DESIGNS AND
FACILITY SITES

Codifies the Nuclear Regulatory Commission (NRC) final rule that provides for Commission certification of essentially complete standard designs in rulemaking proceedings. The rulemakings allow for full public participation prior to approval of the standardized design.

Codifies the NRC final rule on the issuance of early site permits, which are commission approval of sites in the absence of a specific design, but on the basis of a range of design features. The site permit is good for up to 20 years.

The provisions for early site permits make it possible for utility applicants for construction permits, or combined licenses, to combine and approved site and a certified design and thereby have resolved the bulk of the licensing issues before the commencement of the combined license proceeding.

COMBINED CONSTRUCTION PERMIT AND
OPERATING LICENSE

The provisions allow the NRC to issue a combined license authorizing construction and operation of a facility. The combined license will incorporate a program of tests, inspections, analyses which shall be performed, and acceptance criteria for emergency preparedness.

HEARINGS

Under the legislation, there will be an opportunity for a hearing after construction in a very limited area. A person may request a hearing only on the question whether the facility as constructed, complied, or on completion will comply, with the acceptance criteria of the license.

The NRC will have 30 days to deny or grant the request for a hearing.

If a hearing is granted, the operation of the plant will not be delayed unless the NRC determines that the operation of the facility is not in the interest of the public health and safety or the common defense and security.

The NRC shall issue a decision on the issues considered in the hearing within 180 days of the hearing.

AMENDMENTS TO COMBINED CONSTRUCTION
PERMITS AND OPERATING LICENSE

In the case of a proposed amendment to a combined license, the NRC shall not delay the construction or operation of the facility pending completion of the proceeding unless the NRC determines that the construction or operation of the facility would not be in the interest of the public health and safety.

TRIBUTE TO THE LATE JACK
COOPERSMITH

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. ACKERMAN. Mr. Speaker, we all lost a dear friend recently when Jack Coopersmith passed away. Those who knew Jack can well understand the deep void that must encompass his family now. While searching for the correct words with which to remember this fine American, I came across the eulogy by Jack's son, Jeffrey. I would like to share those moving words with all of my colleagues.

EULOGY

On behalf of the family, I want to thank you all for joining us. Dad succumbed after a long bout with cancer. Even his sagacious doctors marveled over this staying power. But the fact that Dad persevered is not as remarkable as how he persevered. He let illness take his body but not his dignity. He let illness take his capacity to perform the most rudimentary functions, but he did not let it take his capacity to charm. Perhaps most telling of all, in this day of gaudy introspection, is that he suffered without complaint.

Dad, of course, would not have us dwell on suffering, especially his suffering. He sought neither fuss nor fanfare. He would describe himself with his trademark simplicity and brevity: he would boast of his extraordinary wife, his devoted children, and his loyal friends, many of whom he had known for over half a century. We want—we need—to say more, to savor our time with the gentlest, sweetest soul we are ever likely to meet.

At moments like these we always seem to recall the little things. Who can forget Dad's office. A visitor would never guess that the occupant—who worked in his father's fish stall as a boy—was now entertaining world leaders. The lone room was strewn with Army surplus furniture that somehow man-

aged to retain the original dust. Around the walls were stacks of discarded grocery store boxes each bearing the year of the files kept inside. For air conditioning Dad had his window, for entertainment Dad had an old radio that glowed orange for several minutes before deciding whether it would allow music to sputter forth. The visitor should have been advised to travel alone, for there was only one folding chair. An upturned trash can was available for crowds of two.

More small moments. We children remember being roused each morning by noises downstairs: my immediate thoughts were about how to accost this prowler, before quickly realizing that the clangs and clatters were from my clumsy father, rising early to prepare breakfast for everyone. We children also remember that wherever we wandered off to, Dad would send us letters written in his large and largely indecipherable scrawl. The salutation to my letters would usually read something like "Dear Esteemed and Principled If Occasionally Misguided Son."

As I stand here on the altar I recall when Dad and I were here for Yom Kippur, the Day of Atonement. The rabbi had reached the part of the service which mentions all the sins for which we were supposed to atone. He began reciting: Avarice, Lust, Envy . . . no problem so far . . . and then the rabbi uttered the work Gluttony. Dad turned to me and said, "Now we're sunk."

All of us have our own moments of joy with Dad. We should think back fondly on them, and, yes, we should mourn that we will have no more. The tears will fall in drops, the tears will fall in torrents, and this is how it should be. Beware though—these waters have an undertow; let us not drown in them.

Let us instead do what Dad would have us do: celebrate life. Be grateful for life. From this day forward let us strive to emulate Dad's example. Before we commit our next selfish act, let us pause and remember Dad's generosity. Before we commit our next impulsive act, let us pause and remember Dad's patience. Before we commit our next impetuous act, let us pause and remember Dad's humility.

School children will not study Dad's life and works. Tourists will not pass by his gravesite. But in this city of monuments, none is more stirring than the values he embodied. So let us resolve that, although we bury Jack Coopersmith today, we will see that his memory shall endure.

CELEBRATING THE LIBERATION OF KUWAIT

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. MARTINEZ. Mr. Speaker, I rise today to join with my colleagues in celebrating the liberation of Kuwait. This is a proud moment for America and we owe our pride to the men and women in our Armed Forces. Our pride is epitomized by the pictures we have seen of Kuwaitis waving American flags and cheering American soldiers upon their liberation of Kuwait City.

Mr. Speaker, I want to pay tribute to our soldiers, airmen, and sailors today by introducing H.R. 1195, legislation to eliminate unfair restrictions on unemployment benefits provided

to military reservists who were called to duty as a result of the Persian Gulf crisis.

Under current law, military personnel must wait for 4 weeks to receive unemployment compensation while civilians usually receive such compensation in one week. Moreover, military personnel may only receive unemployment compensation for 13 weeks while everyone else can receive up to 27 weeks of benefits.

Military reservists from the Persian Gulf will come home to an economy in recession where the dislocation of workers will be commonplace. Given their sacrifice, it is only fair that they be allowed to receive full unemployment compensation if they find themselves dislocated.

To that end, H.R. 1195 will remove restrictions on unemployment benefits provided to military reservists who served as a result of the Persian Gulf war. In addition, H.R. 1195 would require states to ensure that eligible reservists receive unemployment compensation immediately.

In closing, I hope that my colleagues will honor those who have made us so proud by cosponsoring this crucial legislation.

SEVERE HUMAN RIGHTS VIOLATIONS AGAINST ALBANIANS IN YUGOSLAVIA—TESTIMONY OF JOSEPH DIOGUARDI

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. SWETT. Mr. Speaker, the appalling treatment of ethnic Albanians in Yugoslavia is one of the worst cases of human rights abuse reported in the State Department's "Country Reports on Human Rights Practices in 1990," which was recently released. The Albanians in Yugoslavia, which makeup the overwhelming majority of the population of the province of Kosovo, have been subject to systematic discrimination, denial of their rights of freedom of speech and assembly, physical abuse and imprisonment. The Government of the Republic of Serbia, which now controls Kosovo, has officially led the campaign of bigotry and intolerance against the Albanians.

Mr. Speaker, the Senate Foreign Relations Committee held an important hearing a few days ago on the future of Yugoslavia and the progress of democracy and pluralism there. That hearing focused appropriately on the severe human rights abuses being perpetrated by officials of the Serbian Republic. At that hearing, Joseph J. DioGuardi, a former member of Congress and the President of the Albanian-American Civic League spoke eloquently about human rights violations in Kosovo. Mr. Speaker, I ask that his testimony be placed in the RECORD, and I urge my colleagues to give it thoughtful and serious attention.

TESTIMONY HON. JOSEPH J. DIOGUARDI, EUROPEAN SUBCOMMITTEE, SENATE FOREIGN RELATIONS COMMITTEE

Mr. Chairman, the recently issued State Department Country Report on Yugoslavia for 1990 does a good job in reporting the gross

violations of human rights against Albanians in Yugoslavia, especially in Kosovo. I agree with the latest Helsinki Watch Report that the credit for this goes to the staff of the U.S. Embassy in Belgrade, especially our Ambassador, Warren Zimmerman, for excellent work in monitoring and reporting the true state of human affairs in Yugoslavia.

The Country Report describes Yugoslavia as being in a process of change toward democracy with the notable exception of Serbia and Montenegro. Although advances have been made in the northern Republics of Slovenia and Croatia, the situation has deteriorated dangerously in Kosovo. To cite just one outrageous example, a doctor who was not a defendant testified that Serbian police had ordered him to examine Albanian prisoners "to see how much beating they could withstand".

Arbitrary arrests occurred in Kosovo where Albanians are routinely accused on the basis of an unsupported statement by a single policeman. It is believed that over 5,000 Albanians were arrested just for participating in the 1990 demonstrations. Courts are politically motivated, and in Yugoslavia there is strong opposition to the introduction of a genuinely independent judiciary.

While Albanians living outside Kosovo (in Macedonia for example) have also charged that courts are often biased against them, in Kosovo itself (where most of the three million Albanians in Yugoslavia live) any semblance of an independent judiciary has disappeared since the Serbian occupation on July 5, 1990. The Country Report writes: "Most ethnic Albanian judicial officials and judges were replaced by ethnic Serbs, and thousands of Albanians were sentenced on a variety of trumped up criminal charges". As a result, the vast majority of those sentenced in 1990 for political offenses were ethnic Albanians (160 out of a total of 190).

In Kosovo, police search homes without a warrant ostensibly searching for weapons, but confiscate hard currency and other valuables. All Albanians in Kosovo are fair game, including the clergy.

Albanian demonstrations have been crushed with the use of excessive force, in violation of all basic human rights. Between January 24 and February 3, 1990, at least 90 Albanians were killed and the number may be even much higher. Even a gathering in Prishtina to welcome a U.S. Senatorial delegation headed by Senator Bob Dole last August left 46 Albanians beaten with clubs and subjected to tear gas and water cannons. A few days later, four more Albanians were killed by Serbian police. Following the occupation of Kosovo, almost all Albanian language media were suppressed, including the Prishtina Radio and T.V., and the only Albanian daily newspaper, *Relindja*.

In education, at least 90 university professors were fired. Almost the entire teaching staff of the Medical School in Prishtina—76 instructors—were also fired, all of them Albanian, and all because they refused to take an oath of allegiance to the Republic of Serbia.

Freedom of peaceful assembly and association does not exist for Albanians. Any gathering is seen as being "hostile to the policies of the Serbian government", and ends up in arrest, sometimes accompanied by loss of human lives. This illegal practice is used also against the Albanians in Macedonia. Last February, 107 Albanian demonstrators were detained in Tetova, mistreated by the police and many of them were sentenced to jail. The law against "association for purposes of hostile activities" has been used to

prosecute Albanians who advocate Republic status for Kosovo. The penalty for this verbal expression has been 5 to 15 years imprisonment.

The Country Report confirms that "Serbian election law denies registration to any party that does not accept the territorial integrity of Serbia, a provision that is aimed at Albanian political parties, almost all of which seek separate status for Kosovo within Yugoslavia, but outside Serbia". The measure left no choice for Albanians but to totally boycott the elections in Serbia last December.

Freedom of movement is curtailed, especially for Albanians. Albanian refugees from Albania were sent back in spite of the protests of the U.N. Commissioner for Refugees. Of the 1,241 passports refused, 90 percent were Albanians. With the occupation of Kosovo by Serbia all civil rights of citizens were eliminated. Serbia abolished the Assembly of Kosovo, the Executive Council, the judiciary, and the police of Kosovo, taking full and unbridled control of the region, allegedly for "endangering the territorial integrity of Serbia".

Social prejudice against Albanians is deeply rooted. Macedonia limits social welfare payments to the first three children in a family, a policy aimed primarily at ethnic Albanians. In the last election in Macedonia (November 1990) some of the elected Albanian delegates were denied admittance to the Assembly and, more recently, in local elections Albanians were excluded from town and village councils even in the areas where they represent a majority.

Albanian trade union leaders are routinely jailed. The peaceful Labor Day strike was observed by virtually all the working and school age population. But over 50,000 workers have been fired since then, and private businesses were padlocked by police and not allowed to open. Albanians are also the notable exception with the respect to the right to strike. And finally, a new form of forced labor has been instituted by Serbia in Kosovo, the so-called "work obligation" where the refusal to work is punishable by administrative and criminal sanctions.

Having cited the many ways in which the Serbian authorities cause human misery for Albanians in Yugoslavia on a daily basis, I would like to now, Mr. Chairman, deal with the Albanian request for Republic Status for Kosovo within Yugoslavia but outside Serbia which seems to be the only way to guarantee equal treatment for the Albanian people there. (By the way, the simple voicing of such a request is now punishable by law, even though this is a gross violation of the right to free speech.)

On July 2, 1990, one hundred fifteen delegates of the Assembly of Kosovo proclaimed the independence of Kosovo within the Yugoslav Federation/Confederation. Three days later, Serbia declared this constitutional act to be null and void, imposed a military occupation, and destroyed the former autonomy of Kosovo. The Assembly of Kosovo went underground and, on September 7, 1990, the delegates met clandestinely in the town of Kachanik (Kosovo), where they promulgated the Constitution of the Republic of Kosovo. Serbia issued warrants for the arrest of all the delegates. They escaped, and are now either in hiding or in exile.

Let me now, Mr. Chairman, offer the following in support of the actions of the Kosovo Assembly:

A. The proclamation of the independence of Kosovo and the Constitution of the Republic of Kosovo are a reaction to the suppression

and the continuous violation of human and national rights of the Albanian majority (about 90 percent) of Kosovo. As was the case for "The Intolerable Acts" of 1774 in the colonial America, which brought America's Independence and our Constitution, 45 years of Serbian repression (1945-1990) justified the Albanian resistance by both history and tradition, placing the burden of the conflict on the Serbian Government. The same situation was repeated with the "troisième Etat" in 1789, in France. When the people were convinced that their grievances went unheeded, they proclaimed themselves the National Assembly, drafted the Constitution, and established the Republic of France. In 1990, Albanians in Kosovo did just that!

B. The demand for a Republic of Kosovo has clearly taken the modern form of the perennial quest for elementary justice. For Albanians this is an effort to avoid persecution and prosecution, to avoid mass arrests, widespread torture, imprisonment, and deaths in jail or on the streets of Kosovo. Therefore, the establishment of the Republic of Kosovo, free, equal and sovereign within the Yugoslav Federation/Confederation is simply an "insurance policy", an indispensable mechanism of defense against Serbian abuses, and cannot be construed as an obsession to have a state, or as an attempt to secede. It would be foolish for Albanians to accept any "warranties" from a Government which has oppressed them for 45 long years.

C. The entire resistance movement in Kosovo is peaceful, non-violent and civilized, asking only for a dialogue among equals and for free elections. In spite of the daily provocations by the occupying Serbian police and Army units—arrests, house searches, beatings, torture, jailing, forceful unemployment, denial of education and health services, the destruction of Kosovo's economy and administration—not one single incident has been provoked by Albanians. A secession movement would inevitably call for violence (for example Northern Ireland, the Basques etc.). In Kosovo, it did not!

It is logical to conclude that the struggle in Kosovo is neither ethnic nor religious, as the Serbian propaganda machine wants us to believe, but a fight between democracy and the residues of Serbian bolshevism in Belgrade.

D. There are three million Albanians in Yugoslavia, 45 percent of the Albanian nation in the Balkans. Only about two million live in Kosovo. The rest live in Macedonia (over 700,000), in Serbia Proper and in Montenegro. If the intention of the Albanians were to unite with their mother country, Albania, it is logical to think that they would first ask for the unification of all Albanians in Yugoslavia within a Republic (the way Serbia is now asking for the unification of all Serbs within a "Greater Serbian" State) and then, as a second step, to join with Albania. The present demand for the Republic of Kosovo does not include the over one million Albanians outside Kosovo. Any attempt by the Republic of Kosovo to join with Albania by leaving over a million Albanians still in Yugoslavia under Serbia's control would be treated as "an act of treason" by all Albanians. Therefore, such an act will not be undertaken or promoted by any Albanian leader, inside or outside Albania, now or in the future. Furthermore, if over a million Albanians were left within Yugoslavia as a minority, they would continue to be a constant source of friction between Yugoslavia and Albania.

It is logical to conclude that the joining of the Republic of Kosovo with Albania is not a

solution, but merely propaganda contrived by the Serbian Communists to suppress Albanian aspirations for democracy within Yugoslavia.

E. The entire problem of Kosovo has reached disturbing proportions, not because of the Albanian demands to secure for themselves the necessary conditions to live free from fear and free from hunger—which they perceive as achievable under a free, equal and sovereign Republic within Yugoslavia. The real problems in Kosovo are the policies of the present Communist Government of Serbia and its expressed chauvinist ambitions through the statements of its president, Slobodan Milosevic rejecting democracy and trying to create a Greater Serbian State in Yugoslavia which would include, of course, all of Kosovo.

A Republic of Kosovo, democratically established, is a substantial contribution to keeping Serbian expansion in check, and in safeguarding the unity and integrity of the Yugoslav State (whether it be a Federation or Confederation) through democratic and peaceful means, a solution which is also supported by the policies of the U.S. Government.

The rejection of Communism by the Albanian people brought "the democratic opposition" to the surface, initially with the Democratic Alliance of Kosovo, and later with four more political parties, and the Council for the Defense of Rights and Liberties in Kosovo. Their orientation is predetermined by the principles of the U.N. Charter, U.N. Universal Declaration on Human Rights, the 1975 Helsinki Act and more recently the Copenhagen and Paris Charter. (See very recent declaration by democratic leaders attached.)

In spite of all that I and all internationally recognized human rights and public watchdog groups have said about the outrageous "apartheid" that exists in Kosovo today, our State Department, while admitting the wanton abuse of the Albanian people by the Serbian authorities, has argued against and activity resisted every reasonable Congressional Resolution, Amendment and Statement on Kosovo. Why?

If I understand the Administration's position correctly, their refusal to actively support democracy in Kosovo and, therefore, in Serbia, is based on three shaky principles. First, it could adversely challenge the U.S. State Department's policy on Yugoslavia. Second, it could precipitate the dissolution of Yugoslavia. Third, it could disrupt the process of democratization taking place in Yugoslavia. As a former Member who championed this cause while in the Congress from 1985 to 1988, I would like to take issue with the Administration on all three points.

As regards the Yugoslav policy of the U.S. State Department. An article in the June 28, 1990 "New York Review of Books" explains that, for geo-political and security reasons, the U.S. State Department has long credited Yugoslavia with the reputation of a progressive nation, free of major human rights abuses. Given the avowed end of the Cold War, the well publicized divisions in Yugoslavia's collectivized government, and the obsolescence of both the Yugoslav and Soviet models of Communism, the old geo-political reasons can no longer serve to justify the failure of the U.S. Government and Congress to bring to light and loudly condemn the gross violation of human rights that prevail against Albanians in Yugoslavia today, especially in Kosovo.

As regards the precipitation of the dissolution of Yugoslavia. "The New York Times"

of September 6, 1990 describing Serbian repression against the ethnic Albanian minority of Kosovo, quotes a Serbian foreign affairs spokesman as saying "any steps denying Serbia economic aid would spell the dissolution of Yugoslavia." I strongly contend (along with many prominent Senators and House Members, including Senators Dole, Pressler, D'Amato, Nickles, Lautenberg and Congressmen Lantos, Gilman Porter and Brown) that not U.S. economic sanctions but their target—namely, Serbia's ethnically based subjugation of Kosovo is what threatens the integrity of Yugoslavia today! In 1990, while democratic liberalization took hold in Croatia and Slovenia, Serbia's communist regime retreated in Kosovo. Because of this and other Serbian outrages, hostility is rising and Yugoslavia is moving ever closer not only towards political disintegration but also towards civil war. Both can be averted, according to "The Financial Times" of September 14, but only if Serbia ends its ethnically-based subjugation of Kosovo.

As regards the disruption of the democratization process occurring in Yugoslavia. The July 15, 1990 "New York Review of Books" suggested that the incipient Yugoslav democratic revolution has been blocked in the Autonomous Province of Kosovo and the Republic of Serbia by Slobodan Milosevic, the President of the Republic and chairman of the Socialist Party, of Serbia, formerly the Communist League. Mr. Milosevic was the first to stir nationalist feelings two years ago with a campaign to restore Serbian dominance over the Albanians in Kosovo. In a few moves, he transformed Kosovo from a Yugoslav Autonomous Province with a right to home rule to little more than a colony of Serbia without any right to participate in public or economic life. Unless the obstacles of Albanian disenfranchisement are removed, the democratic revolution will not go forward and Yugoslavia will remain the odd-man-out in Europe.

In conclusion, Mr. Chairman, the biggest paradox and shame of Europe today is the ugly situation in Kosovo. Caught between the two communist regimes in Serbia and Albania, Kosovo remains the only region of Europe where free elections are denied to the local majority population. It is my hope and the hope of all Albanian Americans and other citizens of goodwill that a new State Department policy in support of democracy in Kosovo along with continued pressure from Congress in 1991 will eliminate this eyesore in the democratic landscape of a free and prosperous Europe.

Thank you, Mr. Chairman, for the opportunity to testify.

OFFICIAL STATEMENT OF THE DEMOCRATIC LEADERS OF KOSOVO

Being faced with the Present Oppressive Situation in Kosovo, we urge

The lifting of the state of emergency and the reinstitution of the constitutional order in Kosovo, as well as the reinstatement of the Assembly of Kosovo, its Government, and all the legal institutions of the Administration which have been suspended by force;

The holding of free, democratic and multi-party elections in Kosovo, as they will be prepared by the Assembly of Kosovo and supervised by representatives of governments and international organizations;

That Albanians be included in the negotiations for the future of Yugoslavia as equal partners, and be represented by their legitimate representatives elected in free and multi-party elections.

That the work of the news media in the Albanian language (Radio and Television of Prishtine and the newspaper Rilindja) whose activities have been forcefully interrupted through the intervention of the Serbian police, be allowed to continue unobstructed;

That international organizations and representatives of European Governments increase their presence in Kosovo to directly influence the stopping of the repression and the gross violations of civic and national rights of the Albanian people;

That Europe and the democratic countries around the world indicate their support for the expressed political will of the Albanian people, their right to self-determination and independence;

That the European Parliament, in cooperation with other international bodies, mediate the solution of the Kosovo problem and the position of the Albanian people, and that they take the necessary steps to give effect to the adopted resolutions on Kosovo, since the situation is deteriorating continuously and is now threatening the peace in the Balkans and in Europe.

Dr. Ibrahim Rugova, Chairman, Democratic Alliance of Kosovo, Dr. Hivzi Islami, Chairman, Peasant Party of Kosovo, Shkelzen Maliqi, Chairman, Social-Democratic Party of Kosovo, Veton Surroi, Chairman, Parliamentary Party of Kosovo, Lazer Krasniqi, Chairman, Albanian Christian Democratic Party (signed February 13, 1991).

COMMENDING OUR MEN AND WOMEN WHO FOUGHT SO WELL IN THE PERSIAN GULF

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. KENNELLY. Mr. Speaker, I join my colleagues in commending our men and women who fought so well in the Persian Gulf, and join in the joy of their families who know their loved ones will be coming home soon.

I am relieved and delighted that the war is over.

President Bush did an extraordinary job as Commander-in-Chief, and the greatest credit must go to the men and women in the field who showed incredible courage and determination in carrying out the President's orders.

But, we must not forget that there is still much to be done. The task will be tedious and difficult. We must encourage peace and stability in the Middle East region, and especially in the Persian Gulf, so the past 7 months never get a chance to be replayed.

We must make sure our allies help pay for the war. To date only \$14.9 billion of the \$53.5 billion pledged have been paid. We cannot allow our allies to avoid following through with their previous pledges.

And we must determine as best as we can how we arrived in the circumstances that led to war, and why our assessment of Iraqi fighting abilities were so wrong.

But most of all, the biggest victory—the happiest moment—will come when we welcome our troops home.

AMERICAN HEROES: THE NAVY AND MARINE CORPS RELIEF SOCIETY

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. CUNNINGHAM. Mr. Speaker, the best way we can support our troops in the gulf is to support their families here at home.

Thousands of American families have answered the call to send their fathers, mothers, sons, and daughters to military service in the gulf. And when a serviceman or woman in the gulf is a family's chief breadwinner, the family left at home endures difficult financial sacrifice.

I know this, not just because I headed a military family for 20 years, but because military families all over San Diego call my office daily to ask for my help.

Where I send them is to the local chapter of the Navy and Marine Corps Relief Society. This worldwide nonprofit organization, staffed by some 3,600 dedicated volunteers, buys groceries for hungry families, clothes children, and pays the rent or the mortgage whenever a military family in need simply asks.

The servicemen and women who contribute their financial resources to Navy and Marine Corps Relief and the thousands of volunteers who staff their offices at 141 bases and 134 U.S. Navy ships are all unsung American heroes.

But now that nearly a half-million Americans have been called overseas, often on very short notice, the need for Navy and Marine Corps Relief services has never been greater.

Mr. Speaker, I encourage all the Members of this House who represent military men and women to voice their support for the hard-working volunteers at Navy and Marine Corps Relief. Members of Congress can record public service announcements, recruit volunteers, and make sure everyone who needs Navy and Marine Corps Relief knows that they are available.

Let's remember the needs of our military families, and support our American heroes on the home front—the people of the Navy and Marine Corps Relief Society.

Following is a list of Navy and Marine Corps Relief Society offices around the world, which I would like to include in the CONGRESSIONAL RECORD at this point.

NAVY-MARINE CORPS RELIEF ACTIVITIES

Albany Auxiliary.
Bermuda Auxiliary.
Camp Lejeune Auxiliary: New River Branch.
Camp Pendleton Auxiliary: Barstow Branch, Bridgeport Office, San Onofre Branch.
Cherry Point Auxiliary.
Connecticut Auxiliary: Windsor Office, Scotia Office.
District of Columbia Auxiliary: Bethesda Branch, Dahlgren Branch, Henderson Hall Branch, Indian Head Office, Patuxent Branch, Sugar Grove Office.
El Toro Auxiliary: Tustin Branch, Yuma Branch.
Great Lakes Auxiliary, Detroit Branch, Glenview Branch.
Guantanamo Bay Auxiliary.

Hampton Roads Auxiliary: Little Creek Branch, Portsmouth Branch, Shipboard Branch, Yorktown Office.

Hawaiian Auxiliary: Australia Office, Bahrain Office, Barbett Point Branch, Barking Sands Office, Christchurch Office, Kaneohe Branch.

Headquarters: Iceland Office, Augsburg Office, Stuttgart Office.

Jacksonville Auxiliary: Cecil Field Branch. Japan Auxiliary: Atsugi Office, Chinhae Office, Iwakune Office, Misawa Office, Sasebo Office.

Key West Auxiliary.

Lemoore Auxiliary.

London Auxiliary: Brawdy Office, Edzell Office, Holy Loch Office, Lisbon Office, Machrihanish Office, Mildenhall Office, St. Mawgan Office, Thurso Office.

Long Beach Auxiliary: China Lake Branch, Albuquerque Branch.

Mare Island Auxiliary: Concord Branch, Stockton Branch.

Marianas Auxiliary.

Mayport Auxiliary: Kings Bay Branch.

Memphis Auxiliary.

Miramar Auxiliary: El Centro Branch.

Naples Auxiliary: Gaeta Branch, La Madalena Branch, San Vito del Normanni Office.

Naval Academy Auxiliary.

New Hampshire Auxiliary.

New Jersey Auxiliary.

New Orleans Auxiliary.

New York Auxiliary.

Oceana Auxiliary: Dam Neck Office, North West Office.

Okinawa Auxiliary: Camp Hansen Office, Camp Kinser Office.

Orlando Auxiliary.

Parris Island Auxiliary: Beaufort Branch.

Pennsylvania Auxiliary: Earle Branch, Willow Grove Branch.

Pensacola Auxiliary: Gulfport Branch, Meridian Branch, Panama City Office.

Pascagoula Branch, Whiting Field Branch.

Philippines Auxiliary: Hong Kong Office.

Port Hueneme-Point Mugu Auxiliary.

Puerto Rican Auxiliary: Sabana Seca Office.

Puget Sound Auxiliary: Bangor Branch.

Quantico Auxiliary.

Rhode Island Auxiliary: Argenta Branch, Brunswick Branch, Cutler Office, South Weymouth Branch, Winter Harbor Office.

San Diego Auxiliary: MCRD Branch, North Island Branch, NTC Branch.

San Francisco Bay Auxiliary: Centerville Office, Fallon Branch, Moffett Field Branch, Monterey Branch, Oakland Naval Hospital, Treasure Island Branch.

Seattle Auxiliary: Idaho Falls Branch.

Sigonella Auxiliary.

South Carolina Auxiliary: Athens Branch,

Atlanta Branch, NWS Charleston Branch.

Spain Auxiliary.

Texas Auxiliary: Chase Field Branch, Dallas Branch, Kingsville Branch.

Twentynine Palms Auxiliary.

Whidbey Island Auxiliary: Adak Branch,

Anchorage Branch.

1991, a narrowly targeted tax incentive that will spur long-term investments in America's technology future.

Although President Bush has deferred immediate action on the capital gains issue, his budget contains the same ill-conceived, across-the-board cut he proposed last year. Rather than providing an incentive for real economic growth, President Bush has demonstrated his abiding commitment to giving a tax windfall to the wealthiest taxpayers.

My proposal would provide a 40-percent capital gains exclusion for those who invest in small, high-risk, high-technology companies and who hold the stock for a minimum of 4 years. Unlike the administration's proposal, my plan would not reward the real estate speculators, the Wall Street arbitrageurs, and others who do little to create real economic wealth. It would not reward the stock churners and the money manipulators who shift from one short-term investment to another, realizing handsome profits for themselves at the expense of America's economic future.

This is a critical time for our country to invest in the risktakers and entrepreneurs who build real companies and create new jobs for America. For the past several months, we've been hit with a steady flow of troubling economic news: declining productivity, rising unemployment, and a deepening recession. Just last week, Federal Reserve Chairman Alan Greenspan advised a congressional committee that "it would be unwise to rule out the possibility that the recession may become more serious than is already apparent."

Our current economic problems should not be seen as just a predictable slowdown for an otherwise robust economy; rather, the structural problems in the banking industry, the real estate market, and in key manufacturing industries suggest a deeper crisis. Moreover, our global rivals are making dramatic gains in many technologies that will determine future economic prosperity. America's once proud lead in consumer electronics, semiconductors, and other technologies has vanished. Our current leadership in telecommunications, supercomputers, and personal computers is threatened by aggressive competitors in Europe and across the Pacific Rim.

The Markey Venture Capital Incentive Act is not a panacea. It will not provide America with the economic overhaul it needs. But by injecting new capital to high tech start-ups, it will give us the jumpstart we need to get back in the global technology race. The importance of small technology companies cannot be overstated. Small companies create 80 percent of the new jobs in this country and, according to a National Science Foundation report, they are six times more likely than large companies to create new products.

According to a 1982 General Accounting Office [GAO] study, between 1970 and 1979 American venture capital companies invested just over \$200 million in small companies. The result: 130,000 new jobs, more than \$100 million in corporate taxes, and \$900 million in export sales. The same study concluded that a \$1.4 billion investment could, by the end of this decade, generate 1.9 million new jobs, \$6.7 billion in annual tax revenues, and \$13.6 billion in export sales.

Unfortunately, small companies face a growing capital crunch. The cost of capital in the United States is four times more expensive than in Japan and almost twice as expensive as in Germany. In recent months, the troubled banking industry has dramatically cut its overall lending, often making small, high risk companies the first to lose their line of credit.

More importantly, however, venture capital funds have decreased substantially since their mid-1980's peak; total funds fell from a pre-stock market crash of \$4.2 billion in 1987 to \$2.6 in 1989 and the market has never fully recovered. This downward trend can be attributed in part to the sharp drop in initial public offerings since the 1987 stock market crash. Venture capital-backed IPO's dropped 66 percent in 1988, the year after the crash, and have never recovered. The IPO market fell 25 percent in the third quarter of 1990.

President Bush sadly recognizes neither the danger looming over the Nation's economy or the unique advantage America's entrepreneurs and risktakers give us in the new global competition. The President's capital gains proposal would reward investors for unproductive investments, drain the treasury of needed revenue, and retroactively reward investors for previous investments. By contrast, the Markey capital gains proposal would reward only those who make long-term investments in the Apple's, the Lotuses, and the Microsofts of tomorrow.

Let me be very specific about the differences in our two bills.

My bill is highly targeted; the exclusion applies only to investments in companies with 200 or fewer employees and only to companies that devote at least 18 percent of their total expenditures to research and development. The administration's current proposal would apply to all gains currently defined by law. This catch-all, giveaway plan would have provided incentives for investment in timber, real estate, domestic furnishings and other products not critical to competing successfully in the information age. Estimates are that only one percent of the administration's capital gains incentive would have gone to venture capital investments.

Second, my bill differs from the administration's giveaway plan in the length of the holding period and the size of the incentive. When fully implemented, the administration's proposal would give a 30-percent tax exclusion on capital gains for all investments held for more than 3 years; a 20-percent exclusion for assets held longer than 2 years; and 10 percent if held 1 year. Because entrepreneurs endure enormous pressure from investors looking for immediate profits, the Markey proposal provides a capital gains break only if the investment is held for at least 4 years.

Third, my bill is designed to generate new capital, not old investments. The administration's plan would reward investors for investments previously made in order to provide a one-shot revenue boost for his troubled budget. This retroactive giveaway would do nothing to encourage any new investment whatsoever; it only would serve as a half-baked revenue raiser and a windfall to investors sitting on old investments. My plan allows no retroactive windfall. In order for an investment to qualify

INTRODUCTION OF THE VENTURE CAPITAL INCENTIVE ACT OF 1991

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. MARKEY. Mr. Speaker, today I introduce the Venture Capital Incentive Act of

under my plan, it must be held an additional 4 years.

Fourth, unlike the administration's plan, my bill does not include the nonproductive secondary stock market. Only newly issued stocks, derived from founders stock, employee stock, or initial public offerings, would qualify. Providing a capital gains break for secondary stocks would do wonders for America's stock traders and brokerage institutions but does nothing to revitalize our industries and competitiveness.

Fifth, unlike the administration's proposal, the Markey plan would not drain the treasury in the long-term. Estimates done last year by the Joint Committee on Taxation on the President's plan showed that it would lose \$11.4 billion in the first 5 years. Preliminary estimates show that my plan would lose less than 10 percent of the President's figure.

Sixth, in the interests of maintaining tax fairness, my proposal remains consistent with tax reform by listing the capital gains break as a tax preference item under the alternative minimum tax [AMT], ensuring that all taxpayers pay their fair share of the tax burden.

Mr. Speaker, this legislation will not cure all of America's problems with international competitiveness; it could only be considered one part of a greater package to sharpen America's competitive edge. But the capital gains debate has been bogged down for too long by the administration's insistence that we grant an across-the-board tax windfall for the Nation's wealthiest taxpayers. Rather than wait for yet another giveaway proposal from the administration, let's take immediate action and start investing in America's future. I urge my colleagues to support the Venture Capital Incentive Act of 1991 and help rekindle the spirit of entrepreneurship and risktaking in America.

RTC BURDEN-SHARING AMENDMENT PROVIDES TAX RELIEF FOR VIRTUALLY ALL STATES

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. KANJORSKI. Mr. Speaker, your taxpayers and mine will be paying for the savings and loan cleanup for at least the next 40 years even though most of them bear no responsibility for the problem.

It is not fair for us to ask several generations of Americans to pay for this cleanup when some of those who are most responsible for creating this debacle are getting away scott-free, and do not have to pay a dime.

To date 45 percent of the problem we are cleaning up is the result of the failures of State-chartered and State-regulated savings and loans. The vast majority of these failed institutions were located in just a small handful of States which irresponsibly dispensed charters and powers with reckless abandon, and then failed to adequately regulate and examine their State-chartered institutions.

Yet if current policy is continued, these few States, which are responsible for 45 percent of our costs, will pay for zero percent of the cleanup. That simply is not fair. These States are getting the proverbial free lunch.

That is why a bipartisan majority of the House Banking Committee voted to approve my burdensharing amendment to the RTC funding bill. My amendment requires these few States to pay at least a small portion of the cost of the cleanup, or forfeit the rights of partnership in the system.

I would like to share with my colleagues a table which shows: First, what each State's share of the nationwide total of State-chartered thrift deposits was in 1980 (prior to the explosive growth in thrift charters and powers; second, what proportion of the disaster each State's State-chartered thrifts are responsible for; and third, what proportion of the total cost of the cleanup each State's taxpayers are currently paying for.

Members will note, for example, that the Commonwealth of Pennsylvania had 4.04 percent of all State-chartered thrift deposits in 1980, is responsible for 2.1 percent of our costs to date, and is paying 4.8 percent of the cost of the cleanup, or more than twice its fair share. Similarly, the State of Washington had 0.81 percent of all State-chartered thrift deposits in 1980, is responsible for only 0.1 percent of our costs to date, and is paying 1.9 percent of the cost of the cleanup, or 19 times its fair share. Texas, in contrast, had 10.01 percent of all State-chartered thrift deposits but is responsible for 68.3 percent of our costs to-date at State-chartered savings and loans, and is only paying 6.1 percent of the cost of the cleanup, or less than one-tenth of its fair share.

STATE SHARES OF THE SAVINGS AND LOAN CLEAN-UP

If thrift clean-up costs and payments were evenly distributed across the Nation, the figures in columns A, B, and C would all be identical, and would all equal the figure in column A.

A State has "excessive costs"—that is, is responsible for more than its fair share of the blame if column B is more than twice as large as column A.

A State is paying more than its fair share of the burden if the figure in column C is greater than the figure in column B.

For every \$100 of thrift resolution costs, the figure in column B represents the number of dollars the residents of that State are paying in Federal taxes for the thrift cleanup.

| | A—"THE BASE" (percent) | B—"THE BLAME" (percent) | C—"THE BURDEN" (percent) |
|----------------------|------------------------------|-------------------------------|--------------------------------|
| Alabama | 0.23 | 0 | 1.2 |
| Alaska | 0 | 0 | 0.3 |
| Arizona | 1.60 | 0.1 | 1.2 |
| Arkansas | .43 | .1 | .7 |
| California | 28.63 | 17.8 | 13 |
| Colorado | 1.89 | 1.5 | 1.3 |
| Connecticut | .47 | 0 | 2.1 |
| District of Columbia | 0 | 0 | .3 |
| Delaware | .03 | 0 | .3 |
| Florida | 2.96 | 5.9 | 5.1 |
| Georgia | 0 | .1 | 2.3 |
| Hawaii | .21 | 0 | .4 |
| Idaho | .04 | 0 | .3 |
| Illinois | 6.04 | .9 | 5.3 |
| Indiana | .86 | .2 | .2 |
| Iowa | 1.03 | .4 | .1 |
| Kansas | 1.31 | .3 | .9 |
| Kentucky | .05 | 0 | 1.1 |
| Louisiana | 2.31 | 0 | 1.2 |
| Maine | .19 | 0 | .4 |
| Maryland | .44 | 0 | 2.3 |
| Massachusetts | 0 | 0 | 3.2 |
| Michigan | 1.79 | .2 | 3.8 |
| Minnesota | .44 | 0 | 1.8 |
| Mississippi | .25 | .1 | .6 |
| Missouri | 3.34 | 0 | 1.9 |
| Montana | 0 | 0 | .2 |
| North Carolina | 1.93 | .1 | 2.2 |
| Nebraska | .27 | 0 | .5 |

| | A—"THE BASE" (percent) | B—"THE BLAME" (percent) | C—"THE BURDEN" (percent) |
|----------------|------------------------------|-------------------------------|--------------------------------|
| Nevada | .71 | 0 | .5 |
| New Mexico | .58 | 0 | .4 |
| New Jersey | 7.30 | 0 | 4.6 |
| New York | 2.12 | 0 | 8.9 |
| New Hampshire | .16 | 0 | .5 |
| North Dakota | .22 | 0 | .2 |
| Ohio | 7.65 | .5 | 4.2 |
| Oklahoma | .42 | .2 | 1 |
| Oregon | 1.14 | .5 | 1 |
| Pennsylvania | 4.04 | 2.1 | 4.8 |
| Rhode Island | .26 | 0 | .4 |
| South Carolina | .47 | 0 | 1 |
| South Dakota | .10 | 0 | .2 |
| Tennessee | .12 | .1 | 1.6 |
| Texas | 10.01 | 68.3 | 6.1 |
| Utah | .94 | 0 | .5 |
| Vermont | .03 | 0 | .2 |
| Virginia | 1.93 | .4 | 2.6 |
| Washington | .81 | .1 | 1.9 |
| West Virginia | .01 | 0 | .5 |
| Wisconsin | 4.15 | .1 | 1.8 |
| Wyoming | .10 | 0 | .2 |

A "THE BASE"—A state's percentage of the nationwide total of deposits in state-chartered thrifts in the base year.

B "THE BLAME"—A state's percentage of the nationwide total of costs to date of cleaning-up state-chartered thrifts.

C "THE BURDEN"—A state's percentage of the nationwide payments for the clean-up of state-chartered thrifts (i.e. the share that state's taxpayers are paying for the clean-up).

Sources: Northeast-Midwest Congressional Coalition calculations using Federal Home Loan Bank Board, Resolution Trust Corporation, and Tax Foundation Data.

COMMENDING PRESIDENT BUSH, GENERAL SCHWARZKOPF, AND ALL THE AMERICAN TROOPS

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. YOUNG of Florida. Mr. Speaker, President Bush last night brought to a swift conclusion one of history's most successful and efficient military efforts.

In just 6 weeks, American and allied forces under the exceptional command of Gen. Norman Schwarzkopf ejected, disarmed, or captured more than 500,000 Iraqi forces, thus liberating the nation of Kuwait. This effort once again restored freedom in a vanquished land and turned back the inhumane and despotic rule of Iraq's tyrannical president, Saddam Hussein.

Legislation I have introduced today expresses the sense of this Congress that President Bush, Secretary of Defense Dick Cheney, Chairman of the Joint Chiefs of Staff Gen. Colin Powell, Secretary of State Jim Baker, General Schwarzkopf, and every one of the 500,000 Americans who served in Operation Desert Storm and their families be commended for their role in this great victory for peace and freedom and this resounding rejection of the aggression of one nation against another.

In addition to culminating a flawless and precise military victory, Operation Desert Storm also resulted in one of the greatest cooperative diplomatic efforts the world has known. Under the leadership of President Bush and Secretary Baker, the United States quickly rallied the support of virtually every member of the United Nations to condemn, in 12 United Nations resolutions, Iraq's aggression against Kuwait and to enunciate a clear set of goals for expelling the Iraqi forces and restore peace and order in the region.

President Bush, Secretary Baker, and Secretary Cheney also established a coalition of

more than 30 nations who sent troops and equipment to the Persian Gulf and were an integral part of the successful liberation of Kuwait. It took the remarkable skills and leadership of General Schwarzkopf to meld these diverse contingents into one united force that fought with purpose and precision.

Through a 5½-week air campaign, American and coalition forces utilized the superior skill of flyers, ground crews, intelligence operations, and support staff, and the best technology had to offer to pound and weaken Iraqi forces with the least possible risk to the safety of our troops. Casualties were kept to the minimum because of the highly skilled execution of missions and the near perfect performance of equipment and munitions that were the result of a long-term investment in our national defense by the American people.

Those of us who steadfastly supported the development of the aircraft, weaponry, smart munitions, and other technology which performed flawlessly these past few weeks and which provided complete air and ground superiority for U.S. and allied forces were often times criticized in the past for advocating a level of spending on national defense which would support the development and production of these systems. We persevered, however, and over the past 12 years have seen the readiness of our forces restored and upgraded to the point that they were able to respond, when called upon these past 6 months, with the largest airlift and sealift operation ever executed by U.S. forces.

It is the dedication of our all-volunteer forces in combination with the investment this Congress and the American people have made to train our forces and equip them with the best equipment available that enabled them to distinguish themselves to all the world as the most professional and highly skilled fighting unit ever assembled. Being deployed in a foreign land is never an easy task, especially in a place where the culture, customs, and climate are so very different than their homeland. Our men and women serving in Operation Desert Storm met these challenges in a way that made the American people proud. They were outstanding ambassadors for peace everywhere they went, and nowhere was this more evident than yesterday in Kuwait City where they were welcomed as heroes by the newly liberated people of Kuwait.

Mr. Speaker, following my remarks I would like to include a copy of my resolution which commends all aspects of this operation from the leadership of our Commander in Chief and his generals in the field, to our troops and their families. All Americans played such an important role in the success of our efforts to liberate Kuwait, especially through their very visible and strong public support for our troops and their mission.

Once again, through this massive effort, the United States has proven to be the leader, the hope, and the beacon of freedom for an oppressed people. The people of Kuwait are free again, their government has been reinstated, and the despotic forces of Saddam Hussein have been deposed. Freedom has again won over tyranny.

H. CON. RES.—

Whereas President George Bush has declared victory in the operation to liberate

Kuwait and reinstate that nation's government;

Whereas this was the result of the most successful military operation of all time;

Whereas Operation Desert Storm fulfilled the goals and promises made by President Bush in deploying American forces to the region;

Whereas the United States and our allies rallied together in an unprecedented show of unity against the aggression and crimes against humanity committed by Iraqi President Saddam Hussein;

Whereas the valiant and dedicated American men and women in uniform performed in an exceptionally professional manner befitting an all-volunteer military force;

Whereas the U.S. reserve forces and National Guard demonstrated their readiness and ability to respond and deploy quickly to become an integral part of Operation Desert Storm;

Whereas the families of the more than 500,000 Americans called into action in Operation Desert Storm provided exceptional and unwavering support for our troops in the field;

Whereas our nation grieves and prays for all those who paid the ultimate price in the restoration of freedom in Kuwait, and for those who were injured in the line of duty;

Whereas our nation will maintain as the highest priority the full accounting for all American and allied forces missing in action;

Whereas on February 27, 1991, the free and legitimate government of Kuwait was restored, the occupying forces of Iraq were ejected, disarmed, or captured, and cease-fire was ordered by President Bush: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) It is the sense of the Congress that President George Bush be commended for his international leadership in rallying unprecedented world condemnation of Iraq's aggression against Kuwait and as commander in chief for overseeing one of the most efficient and complete military victories of all time.

(2) It is the sense of the Congress that Secretary of Defense Richard Cheney and Chairman of the Joint Chiefs of Staff General Colin Powell be commended for their role in coordinating the largest, most successful, and rapid deployment of military force of all time.

(3) It is the sense of the Congress that Secretary of State James Baker be commended for his role in establishing and maintaining the unwavering support of our allies and the United Nations for the international effort to liberate Kuwait.

(4) It is the sense of the Congress that General Norman Schwarzkopf be commended for his brilliant and flawless tactical plan and leadership and coordination of the victorious U.S. and coalition forces.

(5) It is the sense of the Congress that every American service member be commended for their role in turning back the aggression of a ruthless despot, for restoring freedom to a vanquished nation, and for serving with such distinction and professionalism.

(6) It is the sense of the Congress that the American people pay honor and homage to all those who fell in the line of duty and to pray for the safe return of all those missing in action.

(7) It is the sense of Congress that every American family be commended for their special role in providing for our troops.

REVEREND OTHA GILYARD

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. WOLPE. Mr. Speaker, I rise to pay tribute to a constituent and very special friend of mine, Reverend Otha Gilyard, the Pastor of Mt. Zion Baptist Church in Kalamazoo, MI. On Tuesday, November 20, the Upjohn Institute presented Otha with the E. Earl Wright Community Achievement Award. The award is presented annually to an individual who has made a significant impact on the quality of life in Kalamazoo County, and who exemplifies the values and commitments of the late Dr. Wright—an individual whose humanitarian contributions were felt throughout the Kalamazoo community.

Otha began his impressive ministerial career as a chaplain at Homsburg Prison in Pennsylvania. From there, he went on to serve as the pastor of the Second Calvary Baptist Church in New Jersey until 1975 when he arrived in Kalamazoo, MI, to become the pastor of Mt. Zion Baptist Church. His care and concern for others have not been limited to his congregation, but have been felt throughout Kalamazoo.

Otha Gilyard is deeply committed to community service. He simply cannot say "no" when there are people in need, or problems to be solved. He has invested both time and seemingly endless energy in a vast array of community and professional organizations. His leadership roles include the presidency of the Kalamazoo Ministerial Alliance, board member of the Kalamazoo Alcoholic and Drug Abuse Center, board member of the Kalamazoo Offender Aid and Restoration Program, board of trustees member of Kalamazoo College, board member of the Girl Scout Council, task force member of the Kalamazoo County Jail, board member of the Northside Community Development Association, board member of Safe House, an aftercare facility for alcoholics and addicts; in addition, Otha is past president of the Kalamazoo chapter of the NAACP.

Otha's leadership, drive, and selflessness have been repeatedly recognized by his friends and colleagues. Most recently, in tribute to his effective advocacy on behalf of seniors within the minority community, he received the 1990 Aging America Award of Excellence from the Southcentral Michigan Commission on Aging.

Mr. Speaker, I know my colleagues will want to join with me in acknowledging an individual who personifies the very best in America's tradition of community service, and in thanking Otha Gilyard for the sensitive and caring leadership he has given to the Kalamazoo community these past several years. I feel privileged to represent an individual who gives so much of himself in service to others. Otha's multiple contributions to those in need and to his community make him truly deserving of the E. Earl Wright Community Achievement Award.

BLACK HISTORY MONTH COMES HOME

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. PRICE. Mr. Speaker, during the observance of Black History Month, we frequently call the roll of the national heroes, from Frederick Douglass, and W.E.B. DuBois to Rosa Parks and Martin Luther King, Jr. But it is just as important to remember those whose names are not as well known but to whom we are equally indebted for the progress we have made and the social consciousness that still drives us forward. Every community has such an honor roll, and today I want to call that roll for Raleigh, NC, sharing with my colleagues names they may not have heard, but names that have had a great deal to do with the ongoing struggle for human dignity and social justice in our part of North Carolina.

I was reminded of the importance of such remembrance last month at the prayer breakfast for the Martin Luther King, Jr. birthday celebration in Raleigh. Dr. John W. Fleming, a local historian and professor emeritus at Shaw University, recounted these names and the ways that all of us assembled were indebted to those who had gone before.

He called the name, for example, of Fred Carnegie, one of the first blacks to practice law in Raleigh. A former president of the community organization from which the Raleigh-Wake Citizens Association evolved, Mr. Carnegie is best remembered for his great concern for the educational growth and development of black children. His belief that all children should be afforded a quality education led him to press for the rights of students who were denied admittance to local schools. In commemoration of his efforts, a middle school was named after Fred Carnegie, a reminder of what generations of young people own this man.

Samuel Mitchell was another lawyer in the Raleigh area whose work carried us a step closer to liberty and justice for all. Mr. Mitchell is best remembered for his legal expertise in the area of civil rights. He skillfully worked through the court system to challenge discrimination and injustice. He was one of two attorneys, for example, who represented two students, William Fox and Albert Sansom, in a discrimination suit against the city of Raleigh, which he carried all the way to the U.S. Supreme Court.

Dr. Grady Davis—a minister, community advocate, and educator—is remembered for the special role he played in the civil rights movement. As a student at Shaw University, Grady Davis spoke out for the rights of students, and often served as a liaison between the campus and the wider community. He became a special friend of Dr. Martin Luther King, Jr. while at Boston University, and as professor of psychology at Shaw University, encouraged Dr. King to come to the campus and to inspire the student body and the community to become more active participants in the civil rights movement.

Rev. Charles Ward was another pillar of the community, who assumed a leadership role in the civil rights movement from his earliest

days in Raleigh. Ordained by the Rev. Martin Luther King, Sr., Reverend Ward was at the forefront of the struggle to end segregated schools, and the community's progress owed much to his ability to negotiate and conciliate across racial lines. He served as the pastor of the First Baptist Church in Raleigh for 29 years and was among many nationwide leaders who walked alongside Dr. King in the March on Washington. Reverend Ward continued the fight for justice and equality while serving 9 years as president of the Raleigh-Apex chapter of the NAACP, and also as president of the Raleigh-Wake Citizens Association.

J.J. Sansom is remembered as a skilled businessman who put his talent to work for those in need of opportunity. Mr. Sansom, who spent his youth shining shoes, selling newspapers, and working as a hotel page, went on to become the president and chairman of one of the largest minority-owned and managed banks in the country, Mechanics and Farmers Bank. It was there that he carved out a successful business career and boosted minority businesses across the State. Mr. Sansom was also a respected civic leader, bringing the first major shopping center to southeast Raleigh and leading the effort to register black citizens to vote in Wake County some 25 years ago.

James E. Shephard was a columnist for the Carolinian, the first statewide black newspaper in North Carolina. His column depicted the changing times in our State and motivated black North Carolinians to get involved in the civil rights movement. Mr. Shephard was also a successful realtor who worked to make decent housing available to all. He was an active participant in civic organizations and served as chairman of the Labor Committee for the Raleigh-Wake Citizens Association, which investigated cases of job discrimination in the area.

C.C. Smith was a local insurance agent for the North Carolina Mutual Insurance Co., and was known for his unique fundraising capabilities. His ingenuity helped to raise bail for students arrested for their participation in local sit-ins and thus to keep the civil rights efforts among student organizations afloat. His fundraising efforts also permitted students to travel throughout the State and country to help mobilize communities seeking to be more active in the movement.

Molly Houston Lee was a well-known librarian in Raleigh who was responsible for bringing the accounts of contributions of blacks across the country to the shelves of our local libraries. A former head librarian at Shaw University, Ms. Lee is best remembered for her efforts to desegregate the Wake County Public Library System. She was successful in getting a county-supported public library, the Richard B. Harrison Library, built in Raleigh's black community, and assembled an outstanding collection of books on black history and culture.

Ralph Campbell, Sr. is often remembered as the gadfly of the black community, a unique combination of courage, compassion, and commitment. Mr. Campbell's son was the first black to integrate the Raleigh school system, an occasion recently commemorated as the old Murphy School was rededicated as an affordable housing development. Mr. Campbell

was an active civic leader who served as president of the Raleigh-Wake Citizens Association, the Raleigh branch of the NAACP, and the Raleigh chapter of the National Alliance of Postal and Federal Employees. He also served with distinction on the staff of my predecessor, Representative Ike Andrews.

Mr. Speaker, these leaders and others like them were historymakers, although not as well known as those on whom we tend to concentrate during Black History Month. As we anticipate moving our country another step forward with the passage of the Civil Rights Act early in this Congress, I encourage my colleagues to remember those leaders in their own districts who pushed back the frontiers of social justice and from whom we can still learn today.

FITZSIMONS—AN IMPORTANT COMPONENT IN VICTORY

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. SCHAEFER. Mr. Speaker, thanks to superb political leadership by President Bush, a multinational coalition was quickly formed to oppose Iraq's brutal invasion and occupation of Kuwait. Under the brilliant military leadership of Gen. H. Norman Schwarzkopf, American and allied troops went on to liberate Kuwait with remarkably few casualties.

Without adequate support facilities on the homefront, our swift and confident response to Iraq's aggression would have been much harder to accomplish. Valuable time would have been lost trying to reactivate mothballed military hospitals, medical centers, and clinics.

This is why I salute the Fitzsimons Army Medical Center in Aurora, CO. The staff of this important medical facility was ready and prepared to treat wounded soldiers evacuated from the gulf war. Various offices within Fitzsimons made contingency plans to handle a large number of patients without sacrificing the high quality of care that has long been a Fitzsimons hallmark.

Thankfully, the superb leadership and skill demonstrated by our leaders and troops prevented a large number of American and allied war casualties. Kuwait's independence has been restored, and the United States and its allies have brought the war to a victorious conclusion.

Americans are justifiably proud of our leaders and brave troops in the Persian Gulf. We should also be proud of the invaluable contribution by the medical personnel at Fitzsimons to the success of Operation Desert Storm.

Thank you all for a job well done.

CONGRATULATIONS TO OUR
BRAVE MEN AND WOMEN IN THE
PERSIAN GULF

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. POSHARD. Mr. Speaker, on the first day after our impressive military victory in the Persian Gulf, I would like to commend all of the men and women from across the Nation who so valiantly fought for the liberation of Kuwait.

In particular, I would like to commend the members of the National Guard's 1244th Transportation Company which is stationed in Cairo, IL, in my southern Illinois congressional district. Since last fall, they have been providing vital service in the gulf and we are all grateful for their efforts.

In addition, there are many other men and women from my district who have contributed to the defeat of the Iraqi military machine. I personally salute each and every one of those individuals and I want them to know that America and the world appreciate their bravery and the sacrifices they have made for their country.

Today the Nation rejoices that the war has come to a swift conclusion and that the exiled people of Kuwait will be able to return to their homeland. Now is the time to rebuild, to reflect on the lessons we have learned, and to seek a stable and lasting peace in the Middle East.

Since August 2, we have worked more closely with our Arab neighbors than ever before, and I can only hope that this new sense of cooperation will help us move toward equitable solutions to some of the problems which have challenged the region for decades.

Mr. Speaker, I salute you and my colleagues for the high level of debate and discussion which has occurred in the Congress and for the leadership which this body has shown. But, most of all I would like to express my heartfelt thanks to those brave Americans and southern Illinoisans who answered the call and served so effectively. Our thoughts, prayers, and gratitude are with them all as they prepare to return home to their friends and families.

OUR CHILDREN'S FUTURE

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. ANDREWS of Texas. Mr. Speaker, all of us know how difficult it is to raise children—I have two young daughters of my own. We have doubts about the decisions we make for them. We worry about influences that we cannot control. We wonder if they will be prepared to negotiate life on their own.

Children are always at risk for what their parents do or don't do. Fortunately, most children do fine by what their parents do. Sometimes they do not. Sometimes parents need help, these are times that government can help.

President Woodrow Wilson once said: "My clients are the children; my clients are the next generation."

Let's look at the risks facing the next generation, our children. The national debt has grown to \$3.3 trillion—that's \$13,000 of debt per person.

Congress and the President have just put into law a budget that will reverse the growth of the national debt. But payments on that debt will continue well into the next century.

As our population ages, there will be fewer working people to support the elderly. Today, five workers support every senior. In the future, five workers will support two seniors. That's a doubling of the responsibility for Social Security and Medicare for our children when they grow up.

As the baby boom generation grows older, the labor market will become increasingly tight. The growth rate in our labor force will decline by 40 percent at the end of the century. The job market will also require a highly skilled work force.

We must prepare every individual child better than at any time in the past. We cannot afford to ignore the needs of any child. This is the only way the next generation will be ready for the 21st century.

First, we must consider our children's health and safety. This means child care and health care. Then we must consider their education.

I am proud that the 101st Congress finally passed child care legislation. This landmark legislation will require minimum health and safety standards for day care providers. It provides \$1 billion each year in direct child care services to those who can least afford child care. It does so without violating the principal of separation of church and state.

It has a special program to provide child care assistance to families at risk of losing their jobs due to day care costs so that parents do not have to go on welfare.

It provides funds to school based child care so that child care can become a productive educational experience for our children.

Finally, it greatly expands the Earned Income Tax Credit. The EITC is a critical program for the working poor. It provides them with additional funds to meet child care costs.

Few people here today may be aware how important the EITC is in Texas. One of every five Texas families receive this tax credit. That's nearly twice the rate than in the rest of the country.

The need for this landmark legislation is clear. Today, over half of all mothers with young children work, and this rate has doubled since 1967. Our economy depends more than ever on the participation of both men and women in the work force.

Child care is critical to our economy.

One-fourth of all nonworking mothers of children under 5 would return to work if satisfactory child care were available at a reasonable cost.

U.S. businesses lose \$3 billion each year when parents are absent from work due to child care problems.

In the future, two-thirds of all new jobs will go to women.

The new child care law will move us in the direction of providing affordable, quality child care for every child who needs it.

Another landmark accomplishment of the 101st Congress is Medicaid coverage for every child who lives in poverty by the year 2000. This new law, which was proposed by Senator LLOYD BENTSEN, will gradually increase the eligibility for Medicaid benefits over the next 10 years.

This is particularly important to Texas because our Medicaid levels are so low. Texas has the second highest rate of uninsured in the country. With so many Texans lacking health care insurance, the Harris County hospital district and the large inner-city hospitals are at a financial risk. This new law will ease the burden on Harris County taxpayers.

One area where Congress was unable to act is child welfare. I cosponsored legislation that would bolster our child welfare system. In 1980, Congress enacted an overhaul of the child welfare system enacted in 1980. The law is designed to counter a long history of children being lost in the foster care system. It requires that States make reasonable efforts to prevent the removal of children from their homes.

The law has had a measurable effect:

The number of children in foster care declined by nearly one-half from 1977 to 1984. But since then this number has been on the upswing.

In Texas, the number of children in foster care fell from 7,500 in 1978 and leveled off at about 5,000 since 1983—this is a 33 percent decrease.

But we still have tremendous problems. Over 2 million children are reported abused and neglected each year. More than 1,200 die. Too many of these deaths occur while the child is under the supervision of the child welfare system.

In Houston, El Paso, and other cities throughout the country, we have seen in recent years some tragic serious cases of abused children dying after being reunified with their families by the children's protective services. These cases raise important questions about the causes of such tragedies.

First, what should be the role of law enforcement in child abuse cases? On the one hand, we should do everything possible to prevent a family from breaking up. On the other hand, the crime of child abuse should not go unpunished by society. This difficult question needs full examination in light of the large number of reports of physical and sexual abuse in children.

Second, are current programs adequate? The results of various studies and commissions that have examined the children protective services in Texas have concluded that the staff caseloads are too high and that training is inadequate.

Hearings held this year by the Committee on Ways and Means, on which I serve, turned up this problem all over the country. We need to increase title IV-B funding to help states respond to child abuse. We need to improve training programs. We need to improve foster parent recruitment and retention programs. Few people know that Harris County has led the country in this area.

I intend to continue working on this issue during the 102d Congress.

We must also continue to improve education for all our citizens. Mirabeau B. Lamar, the

second president of the Republic of Texas and the father of Texas education, once said: "Education is the guardian genius of our democracy."

Each of us knows the truth in these words. The education of our children is not just for their sake, it is for the sake of our Nation and our community.

Texas is experiencing great change: 75 percent of the new entrants of the Texas labor force by the year 2000 will be made up of women and minorities, particularly hispanics. Hispanics are the fastest growing segment of the population in the Houston area.

However, minorities have historically been least served by our educational system. And it's been argued that some children have succeeded despite our schools rather than because of them. But if we are to meet the labor market needs of the future, we have to change that. Texas cannot move into the 21st century as an economic power unless we make every one of our children a priority.

We cannot afford a dropout rate in Texas of 36 percent. Houston certainly cannot afford our current drop out rate of 40 to 60 percent among Hispanic youth.

Our illiteracy rate is appalling. One study showed that 56 percent of Hispanic teenagers are reportedly illiterate. Our students are struggling with the basics. Everyone is familiar with the studies showing the poor performance of U.S. students at all age levels on math and science compared to students in other countries.

These trends have the potential to cripple business:

Chrysler reports that while its training and technical manuals are written at an eighth grade level, at least 25 percent of its employees now read at or below a 6th grade level.

At Motorola, 80 percent of the applicants cannot pass a simple seventh grade English comprehension exam or a fifth grade math test.

The future of Texas will be built in fields which require not just the ability to read but also proficiency in science and mathematics. Projects like: biotechnology, space science and the superconducting supercollider will be a growing part of the Texas economy. Jobs in these fields will require two college degrees, not just one.

All children deserve the chance to participate in this new economy. However, too many minority children have been left behind. If these children do not receive the skills this high tech economy requires, they will have little choice but to enter the service sector where jobs offer less security, less advancement, and fewer benefits.

All of us have a special responsibility: we must insure that our educational system steers clear of ethnic and racial bias. We must reach out and find a common ground on which to build.

Congress has recently taken three important steps to provide some federal assistance for the education of disadvantaged children. First, Headstart has been authorized to fund all eligible children by 1994.

Headstart has an enormous payback. For every dollar invested in Headstart, the country gets back \$6 in increased productivity. Headstart participants go on to contribute to the

economy rather than depend on Government services.

Second, Chapter One of the Education Consolidation and Improvement Act of 1981 was reauthorized. This act provides funds to school districts for educational services for disadvantaged students.

Finally, funds were continued and authorized through 1993 for bilingual education. The importance of this program is clear. The question is no longer whether or not bilingual education is a smart investment. Rather, the question is which instructional approach is most effective.

The work being done at the Federal level is only one piece of the pie. The work you are doing locally to create alternatives is extremely important. Not every child is the same and therefore our methods of teaching must not be monolithic.

On the local level, we must reestablish a connection with our youth. If a generation is lost, we bear much of the responsibility. Teenagers are not the producers of World Wrestling Federation and MTV, and teenagers are not the only viewers of these programs. You are the leaders that our children need to hear from, and you and I must remember that they are watching.

The time has passed for business leaders to point their fingers at teachers and schools. It is time for us to go into the schools as volunteers and partners with our teachers. Leadership in this area began in 1980, as the Business/School Partnership Program began in the Houston Independent School District. This program now involves over 200 businesses, providing over 2,000 employees to volunteer in schools. These businesses and employees provide leadership examples, scholarships and summer jobs.

Clearly these investments are our future, not just for Texas but for our children. Only 60 percent of those who leave school without their diploma find a place in the workforce. For the other 40 percent, the cycle of poverty continues and we as a community all suffer. Educational achievement is the key to economic attainment.

Oscar Wilde once wrote: "Children begin by loving their parents. After a time they judge them. Rarely, if ever, do they forgive them."

As we consider how our children will judge us, I hope we do everything we can to prevent them from judging us harshly and do nothing that needs forgiving.

HOSTAGES REMEMBERED

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. SUNDQUIST. Mr. Speaker, I was contacted recently by Melody Brewington of Baxter, TN. Melody is the niece of Terry Anderson, a journalist for Associated Press who is one of six Americans still being held hostage in Lebanon. Although Terry's family is hopeful that he and the others will return home soon, they have learned through the years that there is no guarantee.

At the time of Terry's kidnapping, the demands of his captors, a group known as the

Islamic Jihad, were that 17 prisoners held in Kuwait for terrorist activities be released. These prisoners are now free as a result of the conflict with Kuwait. It is hard to know now what actions are necessary to bring about the release of the six Americans.

With the Persian Gulf crisis, it has been hard to keep our minds on other matters. We cannot, however, let this hostage situation be overlooked. The families of these hostages have stood by for almost 6 years as these men have suffered untold indignities and been seemingly forgotten by the very people they were there to serve—fellow Americans.

It is a grave injustice to these men that more efforts are not going into bringing them home, especially during a time when their release seems inevitable, considering the circumstances. Everyone should focus time and attention on this situation and do whatever possible to help Terry Anderson, Thomas Sutherland, Jesse Turner, Joseph James Cicippio, Edward Austin Tracy, and Alann Steen. Speaking for all the families of the hostages, any effort on their behalf will be greatly appreciated.

THE TIMBER COMMUNITIES PROTECTION ACT

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. CLINGER. Mr. Speaker, the forest communities in this country are facing a new and growing threat. The threat is not from forest fires; nor is the threat from a ravenous insect like the gypsy moth. The most pernicious threat confronting our forest communities comes from fellow human beings—namely, tree-spikers.

In the name of "environmentalism" tree-spikers take ceramic and metallic spikes, and drive the devices into trees. Theoretically, once a tree is "spiked" it will be difficult, if not economically unfeasible, to log the tree. Theoretically, loggers will not harvest a spiked tree. Theoretically, this is a successful means of blocking legitimate timber harvesting activities.

But what happens when theory gives way to reality. Such was the case in California not too long ago. A millworker using a bandsaw struck an embedded spike. The spike destroyed the mill equipment sending a section of the saw across the face and throat of the attendant millworker. The millworker almost died.

In response to this incident and an increasing number of spiking incidents, Congress passed legislation making it illegal to spike trees on Federal lands. The law sets fines and penalties commensurate with the severity of the spiking incident. Enactment of that law is a good start, but unfortunately, tree spiking is now taking place on non-Federal lands.

Just recently CNN reported that 100 spiked trees were identified on non-Federal lands in Maine by state and/or local law enforcement authorities. What is even more frightening than the fact that 100 spiked trees were identified by authorities, is that the same authorities were informed that 400 trees had been spiked and the authorities have been unable to identify the remaining 300 trees.

While trees are spiked in the name of environmentalism, I know of no real environmentalist who could support these activities and endanger the lives of innocent human beings. Accordingly, I rise today with my good friend and colleague MIKE SYNAR to introduce legislation to address the spiking of trees on non-Federal land and to strengthen the penalties for those individuals found guilty of spiking trees on Federal lands. Specifically, my bill accomplishes the following:

Makes tree-spiking a Federal crime on both Federal and non-Federal lands and establishes fines and jail sentences that correspond with the severity of the injury or damage incurred as a result of the spiking incident.

An individual convicted of spiking trees on Federal land will be banned from entering Federal lands administered by the Forest Service, the Bureau of Land Management and Fish and Wildlife Service.

The legislation establishes a reward for any person who furnishes information leading to the conviction of an individual tree-spiker.

Tree-spiking is a demented form of environmentalism. I encourage my colleagues to join with us by supporting this needed legislation.

TRIBUTE TO HENRY SCHWARZCHILD

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. CONYERS. Mr. Speaker, I rise today to pay tribute to Mr. Henry Schwarzschild. Mr. Schwarzschild retired at the end of 1990 from the American Civil Liberties Union as the director of that organization's capital punishment project. Mr. Schwarzschild was a committed advocate for the abolition of the death penalty. His eloquent voice could be heard at public speeches and on television programs around the country. On numerous occasions he testified before various committees of their body as well as the Senate. In 24 years of service with the ACLU, Schwarzschild directed the ACLU Project on Amnesty, the capital punishment project, and was one of the founders of the National Coalition to Abolish the Death Penalty.

The death penalty is an issue which brings out the deepest of emotions. Sometimes these intense emotions keep us from grappling with the truth. Racism continues to pervade the national subconscious and is too often revealed in the worst of places. The General Accounting Office reports that those who murder whites are far more likely to be executed than those who murder blacks. I am deeply troubled by the influence that race has on the death penalty. We must address the problem of racial discrimination in death sentencing at once.

The Racial Justice Act, which I introduced, would have curbed race influence in death sentencing. We need to pass the Racial Justice Act. If we can't remove the stain of racism from the death penalty then that is reason enough to abolish it.

Our system of justice is not foolproof, despite the awesome task of deciding who lives

and who dies. According to a study by Hugo Bedau and Michael Radelet, entitled "Miscarriages of Justice," 25 people who have been executed this century were later found to be innocent. A prisoner who is sentenced to life imprisonment can be made whole, or almost whole, should he or she later be found to be innocent. However, when the prisoner is executed, there is no longer any chance for a reprieve. An inevitable flaw will always be found at the root of death sentencing: human fallibility. When dealing with a human life, fallibility cannot be tolerated.

Mr. Schwarzschild has committed his life to the struggle against the death penalty because he understands that the death penalty is arbitrary discriminating and prone to mistake. He also fights the death penalty because he understands that as long as a society countenances the demeaning spectacle of State sanctioned killing, it loses its humanity. We must oppose the death penalty because our moral standards dictate it. Mr. Schwarzschild's contributions to an honorable cause will be missed but his legacy will endure. I pledge to fight capital punishment until it is completely eliminated from the American justice system.

THE MONTH BLACKS MADE HISTORY

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. GINGRICH. Mr. Speaker, as we commemorate Black History Month, let us also take a minute to recognize the significant history African-Americans have made in the last 45 days in the Persian Gulf. The astronomical contribution made by African-Americans to the quick and decisive victory in the liberation of Kuwait will long be remembered as a monumental achievement not only in black history, but in American history as well.

Many black leaders openly opposed the U.S. intervention in the Persian Gulf. Today's victimologists decried the lack of opportunities for African-Americans—a level of desperation so low that many black youths have volunteered for armed service.

The real victims are here at home. It is profoundly disturbing to see statistics that show a greater number of casualties occurred in the District of Columbia during the first 3 days of ground battle than on the battlefield. It is the black youth who can't see his way out of the cycle of poverty that truly is victimized.

It is my hope that as our heroes come home, the African-American community welcomes each of them as an exemplary role model for the many youths currently looking for an opportunity or advancement. Lessons can be learned and examples set not only by Chairman Colin Powell, but also by soldiers like injured Army Pfc. Glynn Johnson who felt guilty about leaving his troops in Kuwait—"There is such a sense of loyalty" he said.

George Will wrote an excellent article which I would like to share with my colleagues today. As we celebrate Black History Month, I would hope that each of us heeds the lesson taught

to us by our armed services as we work toward creating an opportunity society for all Americans.

THE MILITARY MERITOCRACY

(By George Will)

In many old World War II movies an officer named Winthrop (or some such white-bread WASPy name) tells a sergeant (O'Reilly, like a cop) to get volunteers for a dangerous mission. Forward steps an ethnic salad: Kowalski, Bloomberg, Positano, Sanchez, Graff. But no blacks.

Bigotry in the war had one benefit for its victims: fewer casualties. Nearly 75 percent of blacks in service were in the Army, which by September 1944 was 8.4 percent black. Several black units saw heavy fighting. The famous 92nd Division suffered more than 3,000 casualties in Europe and received more than 12,000 decorations and citations. But most blacks were in combat support (engineers, transportation, quartermasters). Only 2.8 percent of the combat arms (infantry, artillery, cavalry, armor) were blacks.

Today the services are, to hear some critics tell it, too integrated. Blacks are a larger portion of the services than of the population, and a larger portion of enlisted personnel than of officers. Blacks are about 12 percent of the population. 20 percent of the services (38 percent of the Army, 20 of the Marines, 15 of the Navy and Air Force) and only about 7 percent of officers. Many who complain about the low number of black officers are the same people who, by stigmatizing American society, and not least the military, have discouraged blacks from making the sort of military careers that led to commissions.

An ancillary benefit of today's war may be the further discrediting of anachronistic and blinkered black leadership. Many leaders—Jesse Jackson, Benjamin Hooks and the like—seem to believe that black power depends on portraying blacks as victims of an unrelievedly racist society. This idea has led America waist-deep into the quagmire of counting by race in order to engineer "correct" balances here, there and everywhere.

Some black leaders and their white allies have a political interest in regarding blacks, and getting blacks to regard themselves, as victims who must be wards of government, and of politicians mediating the distribution of benefits. The rickety structure of affirmative action, quotas and the rest of the racial spoils system depends on victimology—winning for certain groups the lucrative status of victim.

Understandably, the focus of blacks in Congress is on domestic policy. Only two of 55 members of the House Armed Services Committee are black and only two of 46 members of Foreign Affairs Committee. Both much of the domestic rhetoric and policy directed at blacks presupposes, and by presupposing teaches, dependency. Today's inspiring pictures of blacks making prominent contributions to the competence of the military are, I suspect, disagreeable to those who espouse victimology.

Every black in uniform is a volunteer, which complicates the portrayal of them as victims. But Hooks, head of the NAACP, and others like him say blacks volunteer "because this nation can't provide them jobs." Never mind that military service is a dignified job. The innuendo is that blacks are impelled not at all by the spur of patriotism but only by the lash of necessity. An implication is that most blacks in the services come from the underclass.

Actually, whereas white volunteers are on average poorer and less educated than whites

generally, most black volunteers have at least a high school diploma and come from working- and middle-class families. Getting into today's military—the highest caliber in American history—is harder than graduating from many high schools. Indeed, 95 percent of all Army personnel have high school diplomas, compared with 76.5 percent of the population.

Controversy about the alleged "overrepresentation" of blacks in the military comes hard on the heels of the successes of the movie "Glory" and the PBS series on the Civil War. About 188,000 Union warriors—twice as many men as Lee had at Gettysburg—were black. The 166 black regiments were more than 8 percent of the Union forces. Blacks had something to prove. A Confederate general said: "You cannot make soldiers of slaves . . . And if slaves seem good soldiers, then our whole theory of slavery is wrong." Most black soldiers had been slaves until a few months, even days, before enlisting. Frederick Douglass said: "Once let the black man get . . . a musket on his shoulder and bullets in his pocket, and there is no power on earth which can deny that he has earned the right to citizenship."

INTERRACIAL HARMONY

In 1991 the only things blacks have to earn or prove in the military are what whites have to earn or prove. They are earning their pay and proving their worth—and patriotism—as individual professionals. Enough, already, of the groupthink of people who see everything through the distorting lens of race. That monomania is a civilian luxury. Military men and women are too busy making the military a model for interracial harmony, not perfect but worthy of emulation by civilians.

Just a few decades ago blacks joked that baseball was the only field in which a black man could wave a wooden club at a white man and not start a riot. Today's military is a place where blacks regularly tell a large number of whites what to do. One of the telling facets of military life is so familiar it is never thought about: uniforms. Individuality is not extinguished but people are fitted to functions. It was, after all, a soldier (Napoleon) who characterized the good society as one of "careers open to talents."

Just last year, when it seemed that peace was busting out all over faster than you could say "peace dividend," there were those who worried that the shrinking of the military would victimize blacks by shutting off careers open to their talents—careers that teach talents, too. Why is there a black chairman of the Joint Chiefs of Staff before there has been a black chairman of GE, GM, IBM or any of the other Fortune 500 corporations (all of which are pygmies compared to what Colin Powell chairs)? There are many reasons but one may be that today's military is a more severe meritocracy than most corporations.

Military life aspires to resemble professional sports in one particular—concentration on performance. At the tip-off of next weekend's NBA All-Star game there will be at least eight blacks on the court. Too many? That is a dumb question to those who understand basketball and an ugly question to those who understand America.

PROVIDE MEDICAID COVERAGE OF SUBSTANCE ABUSE TREATMENT FOR PREGNANT WOMEN

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. DURBIN. Mr. Speaker, today I am introducing legislation along with more than 20 of my colleagues that will provide new hope for addicted pregnant women and drug-exposed infants by providing Medicaid coverage to drug and alcohol treatment to Medicaid-eligible pregnant women and their families. I am delighted to have Mr. MILLER of California and Mrs. MORELLA of Maryland join me as the lead cosponsors of this measure.

Our legislation grows out of the realization that pregnant women are among those least likely to be able to obtain comprehensive drug and alcohol treatment. Because of our failure to make such treatment available, the drug epidemic is filling our Nation's hospital nurseries with babies who are born addicted. Nationwide, 375,000 babies are born each year who were exposed to illegal drugs before birth, 1 out of every 10 newborns.

The annual cost of hospital treatment for drug-exposed newborns is alarming: \$178 million in California, \$121 million in Maryland, and several billion dollars for the Nation as a whole.

In addition to these immediate hospital costs, we face even greater additional costs for foster care, special education, and other social services these children need as they grow up. The Health and Human Services Office of the Inspector General surveyed just eight major cities and estimated that, for the 9,000 drug-affected infants born in those cities in 1989, our Nation will pay \$500 million in hospital and foster care costs during their first 5 years of life. The financial toll rises to \$1.5 billion if they are given the comprehensive special education services they will need to prepare them for school. The rest of the Nation faces similar costs, and the cost is repeated each year with a new group of drug-exposed newborns.

We can reduce these costs substantially if we ensure that pregnant women have access to effective substance abuse treatment programs. While our legislation would cost the Federal Government approximately \$20 million in the first year and up to \$200 million annually by the fifth year, it would save far more by lowering the cost of health care, foster care, special education, juvenile justice, and other social services, and by reducing the human toll associated with drug addiction and fetal drug exposure.

For many addicted pregnant women, the only effective treatment is a comprehensive program in a residential setting that provides counseling, child care, room and board, and other services. Tragically, Medicaid will not reimburse States for the cost of residential treatment for Medicaid-eligible women. As a result, many women who need and want assistance to end their addictions have nowhere to turn.

Our legislation, the Medicaid Substance Abuse Treatment Act of 1991, amends Medicaid law to address this problem. It gives

States the option of providing Medicaid coverage of residential drug and alcohol treatment services for eligible pregnant women and parents and their children beginning July 1, 1992. Beginning January 1, 1994, these services would become a mandatory component of the Medicaid program for eligible pregnant women and their children.

To be eligible for Medicaid reimbursement, residential programs must provide a comprehensive set of services known to be important components of effective women's drug and alcohol treatment programs. These services include counseling and treatment based on an individualized treatment plan; therapeutic child care or counseling for the children of individuals in treatment; parenting skills training; HIV prevention education; room and board; and assistance in obtaining educational, vocational, health, and other social services necessary to sustain recovery.

Since substance abuse treatment experts consider small size to be a key to the success of a residential treatment program, eligible facilities would be limited in size to 40 beds or modular units of no more than 40 beds in order to provide quality services and personalized attention. States could apply for a waiver for larger facilities that can demonstrate equivalent or greater therapeutic benefit at a lower cost.

Medicaid-covered services would remain available to women throughout pregnancy and for up to 12 months thereafter.

Mr. Speaker, these kinds of treatment programs can be very effective. The Institute of Medicine found that the clients of longer-term residential treatment programs stop virtually all illicit drug taking and other criminal behavior while in residence, and demonstrate lower drug use and criminal activity, and greater social productivity after discharge than they did before admission and than other individuals who did not receive similar treatment.

Furthermore, these programs are cheaper than the alternative. An Illinois study found that it cost an average of \$7,000 to provide drug treatment, prenatal care, and hospital delivery to a cocaine-addicted pregnant woman. The cost for delivery and hospital care for a newborn whose mother did not receive drug treatment and prenatal care during pregnancy averaged \$31,000. Comprehensive drug treatment offered savings of \$24,000 for each newborn.

These figures suggest that we cannot afford not to act. Every day that we delay, more drug and alcohol-affected infants are born, many permanently damaged by fetal exposure to these substances. Our bill can dramatically reduce the financial and human costs of drug and alcohol addiction by making cost-effective residential treatment available to pregnant women and their families.

I urge my colleagues to sign on as cosponsors of the Medicaid Substance Abuse Treatment Act of 1991.

THE WALL OF PRAYER

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. HOBSON. Mr. Speaker, today I want to recognize the students at Cedarville College, a small, Baptist liberal arts college located in Ohio's Seventh Congressional District, who responded to the events in the Persian Gulf by erecting a 77-foot Wall of Prayer in the James T. Jeremiah Chapel on the college's campus. To date, the students have written the names of over 3,100 soldiers serving in the Persian Gulf, and more names are added daily. The students, faculty, staff and college visitors regularly pray for these brave individuals serving our country. On February 12, 1991, classes were canceled in order to observe a special day of prayer. A special prayer was said for each name listed on the wall.

The Wall of Prayer is comprised of several orange boards running the length of one side of the chapel. The boards are divided into bricks on which the names are written. Many of the bricks contain pictures, messages of hope or a specific need, and some reflect personal messages from students who have a family member or a friend stationed in the Persian Gulf. There also is a special section that contains the names of POW's and MIA's. The Wall of Prayer will remain in place as long as our Nation is engaged in the conflict.

Dr. Harold Green, vice president for Christian ministries and pastor of Cedarville College, along with several student leaders, worked together to organize this project. Dr. Green stated that "the wall is a tangible reminder to pray for the war effort. Students are also able to pray more specifically by identifying individuals for whom to pray."

The Wall of Prayer has received national and regional attention, which has resulted in the college and a local radio station receiving calls from around the country requesting that additional names be included on the wall so as to be remembered in the students' prayers. My thoughts and prayers are with the deeply caring people of the Cedarville College Community and I commend them on their faith. It is my hope that their prayers, combined with the prayers of other Americans, will bring a swift end to this conflict and a safe return home for our troops.

TRIBUTE TO NICOLA ANTAKLI

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to a distinguished individual, Mr. Nicola M. Antakli. Mr. Antakli is being honored as World Trader of the Year by the World Trade Club of the Greater Detroit Chamber of Commerce.

Mr. Antakli is founder and president of Intraco Corporation, a leading world trade company. Founded in 1971, Intraco is the leading exporter of many industrial products to

the Middle East. Among the products it exports are architectural and automotive glass as well as replacement auto and engine parts.

Mr. Antakli is also president of two other trading companies: Intraglas Corp. and Automotive Service Industries. He is president of Unitrade International, a real estate investment company. He also serves as a partner and board member for three additional firms, United Trading Establishment, Intraco—UAE—Limited and Saudi American Glass Co.

I commend Mr. Antakli on his exceptional involvement in international trade. It is critical for us, as a country, to become more competitive in the global economy of the 21st century. The foresight and enthusiasm of innovative entrepreneurs like Mr. Antakli are key in achieving economic balance between the United States and our trading partners. These same qualities are vital to making our community thrive. I am confident of Mr. Antakli's continued success and know he serves as an inspiration to all of us.

OIL RECYCLING INCENTIVES ACT
STRENGTHENS MARKET FORCES
FOR USED OIL RECYCLING

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. TORRES. Mr. Speaker, to list, or not to list used oil as a hazardous waste? This is the key question many policymakers and interest groups have been grappling with in an effort to develop an effective and efficient used oil recycling program. An examination of the nature of the problem and a clear grasp of the potential application of the existing oil infrastructure strongly suggest that any effective approach to managing used oil necessitates this question being resolved in favor of not listing used oil as a hazardous waste.

All parties, I think, would agree that the appropriate objective of used oil management is to maximize the Nation's ability to get the enormous amount of used oil now discarded, back into the system and have standards in place to ensure its proper handling. In doing so, we must not create obstacles that impede the flow of oil back into the system. On the contrary, incentives must be created that enlist the power of market forces to work for, rather than against, used oil recovery. That is why I have introduced in Congress H.R. 872, the Oil Recycling Incentives Act. This legislation charts a new course by creating a system of economic incentives to encourage recycling of used oil.

The Oil Recycling Incentives Act currently has more than 60 cosponsors in the House of Representatives. In the Senate, the Oil Recycling Incentives Act (S. 399) was introduced by Senator TIMOTHY WIRTH and Senator JOHN HEINZ.

Currently, 95 percent of the used oil generated by do-it-yourself oil changers in America is simply thrown away. Much of a potentially valuable resource is either illegally burned or finds its way into our water supply via the local landfill or storm drain system. The environmental consequences are alarming,

and the energy wasted by this practice is incalculable. If all the used motor oil generated in the United States were captured and used as fuel, it would provide enough energy for 900,000 households yearly. Unfortunately, disposal is viewed as free and recycling is regarded as expensive or inconvenient.

The Oil Recycling Incentives Act would reverse this situation by requiring companies that produce or import lubricating oil to take some responsibility for getting a percentage of that oil recycled. The legislation requires the petroleum companies to meet the recycling goal by either: recycling the used oil themselves; purchasing re-refined oil from legitimate re-refiners; or by purchasing recycling credits from licensed recyclers. These credits would represent proof the oil had been properly recycled.

If the three methods, clearly the most innovative and exciting potential is offered by producers recycling the used oil themselves. The used oil would be re-introduced during the refining process—in effect making used oil a feed stock—exactly like crude oil. Recycling used oil into the refinery process will not only reduce our dependency on foreign oil, but it offers immediately available capacity for that used oil. Right now, the Nation's capacity for re-refining used oil into lubricant is less than 50 million gallons, or about 1 million barrels, per year. In contrast, U.S. refining capacity is around 5,500,000 barrels annually.

Listing used oil as a hazardous waste would impede greatly this most promising method of "getting used oil back into the system." That is one reason why the Oil Recycling Incentives Act would direct the U.S. Environmental Protection Agency not to list used oil as long as it is properly recycled under strict tracking and management standards. The proposed legislation requires both testing for hazardous constituents and simple recordkeeping for the used oil. The used oil would be managed properly all the way from the service station to its final disposition. If the used oil has been contaminated, then the oil would have to be handled by a hazardous waste facility. Otherwise, the oil could be recycled and returned to commerce just like any other product.

Some other aspects of the bill:

EPA is directed to establish a mandatory recycling percentage that increases 2 percentage points each year for 10 years, using the most recent data available as a baseline.

Not later than 18 months after the date of enactment, EPA must issue regulations governing the creation, sale, and purchase of recycling credits.

A producer or importer is treated as recycling two units of used oil for each unit of re-refined oil or re-refined lubricant base stock purchased.

Records of oil tests, quantities of used oil received for recycling, the amount recycled or sold, and sale of credits must be kept for 3 years.

EPA is prohibited from listing used oil filters and affiliated materials as hazardous wastes as long as they are managed in accordance with EPA regulations.

Mixing used oil with any hazardous materials or with virgin crude is prohibited. Testing and recordkeeping is required to demonstrate that dilution and mixing have not taken place.

Transporters of used oil are required to obtain an identification number and insurance along with keeping records of oil pickup and delivery.

Road oiling with used oil is prohibited.

Outreach education activities will be implemented by EPA.

As written, H.R. 872, the Oil Recycling Incentives Act, prompts producers of lubricating oil to act. Some producers no doubt will settle for purchasing recycling credits on the open market, at least initially. But far and away the quickest and most powerful way to "get used oil back into the system" will be for the producers to flex their retail-level muscle—to provide convenient dropoff or pickup points for those wishing to deposit used oil. Then, the oil can be routed to re-refineries or refineries. This is already happening, as witnessed by recent initiatives by Ashland Oil, Amoco, Mobile, Chief Auto Parts, and others. My legislation will prompt the proliferation of more such programs. Another avenue for exploration by oil producers will be the formation of alliances with municipal, regional or state collection efforts, such as Project ROSE [Recycled Oil Saves Energy], a model program in Alabama.

Our Nation has the technology necessary to turn used motor oil into an energy asset and remove it from the list of environmental hazards. What is lacking is the proper economic incentive. Existing public and private initiatives show that the public is willing to act. Industry has an unquenchable thirst for used oil and a virtual limitless capacity to reclaim it through re-refining, refining and fuel processing.

The Oil Recycling Incentives Act creates a system of incentives that makes the oil infrastructure work for our environment and our economy.

THE WHISKY REBELLION

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. SHUSTER. Mr. Speaker, Sunday, March 3, 1991, will mark the 200th anniversary of the important but little remembered Whisky Rebellion. This event had a significant influence on our national development and I hope, at this time, to give it some of the attention it deserves.

On March 3, 1791, our direct predecessors in the First U.S. Congress, enacted a law imposing duties "upon Spirits distilled within the United States"—the infamous tax also prompted the first test of our newly ratified Constitution, then nearing the end of its third year. The ensuing rebellion ended only when President Washington himself returned to the field as Commander in Chief of the militia in 1794.

The entire Appalachian frontier erupted in rebellion as the frontier farmers viewed the tax as a burden they were singled out to bear. They viewed the newly levied tax as a hardship imposed by elite easterners with no respect for their interests. In these rural regions, served only by the most primitive of roads, not only was whisky a medium of exchange but it was also the only "cash crop" that frontier farmers were able to transport and sell in the east.

Opposition to the tax was based on more than economics. The constitutional question of whether the Federal Government had the power to raise revenue through direct taxation, a power previously only exercised by individual States, was also of great concern. Other objections included paying for a public debt incurred without their consent and that if the regional concerns of these rural Americans were ignored, did those adversely effected have the right to disobey the National Government or ultimately to secede from the newly created union?

Early opposition to the tax was peaceful, consisting of petitions from private groups and the repeal of the law by several State governments. More radical groups did surface and resorted to violence in the form of tar-and-feathering of revenue agents and the burning of property owned by those willing to abide by the law. At the height of the rebellion, 5,000 farmers marched on the expanding town of Pittsburgh, then retreated after causing little damage.

President Washington, during this time, saw the growing opposition as a threat to the authority of the National Government and to the unity of the Republic he had helped to establish through years of toil and bloodshed. Regardless of the merits of the tax itself, he felt justified in calling for its strict enforcement as the law of the land. When civil authorities failed to insure compliance, President Washington relied on another newly enacted law to call out the militia and order a march on western Pennsylvania.

The enactment of this seemingly innocuous taxation measure led to an armed confrontation and a test of national unity not to be matched again until the Civil War. Today many still question the need for more than 12,000 armed men used to confront an unorganized force of farmers, perhaps this is a sign of President Washington's perceived threat. While ending the rebellion did not totally eliminate tax evasion, the strong actions taken by the President did establish the primacy of the U.S. Constitution once and for all.

During the next 3 years, various commemorative events will recall the course of the Whisky Rebellion. The citizens of Bedford County, PA where George Washington came in 1794 to put down the rebellion have decided also to commemorate its beginning in 1791 with a ceremony at their historic court house. To mark the bicentennial of the law's enactment Washington, Hamilton and David Bradford will debate again: "Should Whisky be taxed? Our nation's first constitutional crisis."

Hopefully during this historical observance near my home in Bedford County will spark a national interest in the Whisky Rebellion. It deserves national recognition. Chief Justice John Marshall, who lived through those troubled times wrote later that no event during the first quarter century under the U.S. Constitution was of greater importance. Revisiting this period of history will prove his assessment was correct. At a time when the United States faces a major new challenge we should not forget the events of the past which helped to unify our nation and make it strong.

We as Pennsylvanians are extremely proud of our heritage, our history and our nation. We have, since the early days of the United

States, always been proud of our role in the development of this great country.

ESTONIAN INDEPENDENCE

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. LIPINSKI. Mr. Speaker, once again I would like to take a moment to recognize the anniversary of a Baltic nation's independence. This week marks the 73rd anniversary of Estonia's declaration of national sovereignty and self-determination. On February 24, 1918, the leaders of Estonia declared independence even while the country was under German occupation. Risking severe repercussions and additional arrests, the Estonian leadership effectively denounced the previous 8 centuries of foreign rule.

Although Estonian independence was short-lived, it is vital that we continue to recognize it. With the recent Soviet crack-down throughout the Baltics, Estonia, like Latvia and Lithuania, is yet another example of the horribly misguided policies of the Soviet Union. Throughout the Baltic States freedom-loving peoples continue to fight, be persecuted and die for basic human values. Large numbers of Estonians who have been forced to flee the oppressive regime in their homeland reside in the United States. They have brought technical skills, artistic abilities and vibrant cultural heritage to this country, knowing that their talents would be wasted or misused at home. I am confident that when the Soviet Army finally loosens its iron grip on the Baltics, many Estonians will return to their homeland. If the recent actions by Moscow are any indication however, that return may have to be postponed. To many Estonians, the ongoing Soviet occupation, though never recognized by the United States, still remains as an all too real reminder of a bloody and treacherous past.

Worded in a manner that was consistent with most of their other territorial agreements, the Soviet-Estonian peace treaty of 1920, "voluntarily and forever" renounced all Soviet rights over the territory of the people of Estonia. Of course, the guarantees on this piece of paper amounted to little after the 1939 Molotov-Ribbentrop Nonaggression Pact. On the same day that this infamous document was ratified, the Soviet Government imposed upon the rightful government of Estonia a mutual assistance treaty. This document, while reiterating the provisions of the 1920 treaty, forced Estonia to agree to the building of several Soviet military bases at strategic locations throughout the country. With such a Red Army presence, Estonia became yet another vassal to Mother Russia.

It is time for this illegal and brutal occupation to end. The time has come for President Gorbachev to pull his invading armies out of the three Baltic Republics and restore their legitimate national sovereignty. Since the dramatic events of 1989, the nations of Eastern Europe have regained their independence and their people have freely elected representative governments. The communist governments of

Poland, Hungary, East Germany, Romania and the others had seemed so permanent and secure, entrenched as they were with their secret police and Soviet-supported armies. These obscene monuments to Lenin's revolution of the proletariat have now crumbled, their substance being blown away by the forces of freedom and enlightenment.

Estonia has also elected a government of the people which has declared its right to secede from the Soviet Union. Moscow, in its ignorance and sense of false importance, has refused to allow the Estonians to realize this declaration. In his desire to maintain the status quo and placate those in his government who still dream of empire, Gorbachev continues to repress the Estonian people. What he fails to realize is that, just as Eastern Europe unshackled itself from a retarded Soviet economy and a selfish, oppressive regime, so too will the Baltic nations. Like their European counterparts, the Estonians will not willingly concede to the continued occupation of their homeland. Unlike the Europeans however, the Baltic States have several examples to follow which illustrate a workable method of overthrowing the Communists. It is only a matter of time before the Soviets are unable to maintain their hold.

Mr. Speaker, I would just like to join my colleagues in calling for the immediate withdrawal of all Soviet forces from the Baltic Republics. The people of Estonia, Latvia and Lithuania have made it quite clear that they want their rightful independence. The Soviet Union illegally annexed these three nations and for the past 50 years has maliciously exploited their natural resources, industries and populations. On the 73rd anniversary of Estonia's independence, I once again call upon Mr. Gorbachev to use his power to give the Estonians back their country. I do realize that he may not choose to accede to my wishes on this matter. After all, I am used to a democratic system where rational, constructive debate enables us to make decisions with the general welfare foremost in mind. Such a concept is as yet untried in the U.S.S.R. Perhaps though he will someday come to understand democratic government and finally listen to the millions throughout the Soviet Union who only ask for the freedom to choose their own future paths.

HEALTH CARE LEGISLATION TO HELP ELDERLY

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Ms. SNOWE. Mr. Speaker, today I am pleased to introduce, along with original cosponsors, the Osteoporosis and Related Bone Disorders Research, Education, and Health Services Act of 1991 and the Medicare Bone Mass Measurement Coverage Act of 1991. These bills are also included in the Women's Health Equity Act, introduced on February 27 by the congressional caucus on women's issues, of which I am cochair. And Senators CHARLES GRASSLEY and JOHN GLENN, with whom I have collaborated for many years on osteoporosis and other issues affecting the el-

derly, have introduced this same legislation in the U.S. Senate.

As you are probably aware, osteoporosis, or porous bone, is a major public health problem. As a debilitating disorder, it is characterized by an excessive loss of bone tissue which greatly increases the risk of bone fractures—particularly of the hip, neck, wrist, and spine. Over 27 million Americans are affected—almost half of all women over age 45, 90 percent of women over age 75 and many men as well. The disease develops silently over many years with no symptoms and many people are unaware they have it until a sudden bump, strain, or fall causes their weakened bones to break or their spinal vertebrae to collapse.

At least 1.3 million fractures in the United States each year are caused by osteoporosis, including 250,000 hip fractures, 500,000 vertebral fractures and 200,000 wrist fractures. Direct medical costs for the care of these fractures was estimated to be over \$10 billion a year in 1988, with cases related to hip fractures accounting for over \$7 billion. As these fractures are concentrated in persons over age 65, and the rate of fracturing increases sharply with age, future costs of caring for these patients could reach \$30 to \$60 billion a year by the year 2020 if biomedical research fails to find effective prevention and treatment for the disease.

The most tragic consequences of osteoporosis result from hip fractures, which disproportionately affect elderly women; 12 to 20 percent of the individuals who suffer a hip fracture die during the 6 months following the fracture. Of those who do survive a hip fracture, 20 percent will need nursing home care, often for the rest of their lives, and 50 percent will need some help with daily living activities. Over one-fifth will be unable to walk for at least a year—and many will never walk again.

By the year 2030, the number of older persons over age 65 is projected to double, and the number of those over age 85 may increase from 2.5 million to 12 million. Without major advances in prevention and treatment of diseases such as osteoporosis and Alzheimer's disease, the costs of caring for the increased number of hip fracture and dementia patients in this "old-old" age group will soar dramatically. In today's difficult financial climate, mobilizing research efforts on these diseases and disorders which lead to long-term disability in the oldest-old is a positive way to reduce soaring health care costs.

The legislation which I am introducing, the Osteoporosis and Related Bone Disorders Research, Education, and Health Services Act of 1991 will expand, intensify, and coordinate Federal biomedical research on osteoporosis. It provides for an additional \$62 million to expand and intensify Federal biomedical research on osteoporosis. Experts maintain that \$100 million is necessary to fund the research level needed to make sufficient progress on the disorder. Current level expenditures at the National Institutes of Health [NIH] is approximately \$33 million. Although there have been significant advances in osteoporosis research, inadequate funding levels continue to result in very low award rates for research grants on osteoporosis at the National Institutes of Health. Substantial basic research on the causes of osteoporosis and risk factors that

can be modified is yet to be done. Research on promising treatments to restore bone loss and to prevent further bone loss must also be expanded and tested in clinical trials.

In addition, the bill would establish: First, an Interagency Council on Osteoporosis and Related Bone Disorders within the Department of Health and Human Services to promote and coordinate research, education, and health promotion programs; second, an Advisory Panel on Osteoporosis and Related Disorders, of non-Federal experts on the disease, which would make recommendations on biomedical research, health promotion and services, and education to Congress and the Secretary of the Department of Health and Human Services; and third, a Resource Center on Osteoporosis and Related Disorders to compile and disseminate information about research results, services and educational materials to health professionals, patients and the public.

I am also introducing the Medicare Bone Mass Measurement Coverage Act of 1991 to expand Medicare coverage for diagnostic testing of osteoporosis. Bone mass measurement is the only accurate way to detect and diagnose low bone mass in order to assess the risk of fracture and select therapy to prevent further loss. Currently, the Health Care Financing Administration [HCFA] only covers reimbursement for bone mass measurement for single photon absorptiometry which has been surpassed for several years by more sophisticated, cost-effective and accurate technologies.

Years of review and reliance on obsolete data have continually delayed HCFA approval of newer bone mass measurement technologies which have been wholeheartedly endorsed by the scientific community. My bill limits Medicare reimbursement for updated bone measurement technologies to four groups which are most at-risk to have or develop osteoporosis and, therefore, most at-risk for developing fractures. As such, the following target groups would be covered: First, estrogen-deficient women at clinical risk for osteoporosis; second, individuals with vertebral abnormalities, such as compression fractures; third, individuals receiving long-term glucocorticoid steroid therapy, and fourth, individuals with primary hyperparathyroidism.

In anticipate that the impact of the cost of such coverage on Medicare expenditures would be very low and would result in some short-run cost savings. In the long run, Medicare and long-term care savings would be substantial as a large share of the direct medical, hospital, and nursing home costs for fractures of osteoporosis patients should be prevented. In addition, Medicare will benefit as insurance companies are likely to follow Medicare's lead and extend coverage for these updated bone measurement technologies to women under age 65. This would result in cost savings to the Medicare Program as the disorder could be detected at an earlier age when prevention is still possible.

These two bills which I am introducing are only slightly modified from those which I introduced in May 1990, in the 101st Congress. They both won significant support, and major provisions of the research bill were included in the NIH reauthorization bill approved by the

full House Energy and Commerce Committee. Both the House and Senate Appropriations Committees also took important steps in recognizing the need for enhanced research on osteoporosis.

Mr. Speaker, I believe that we must continue to build on last year's initial gains in order to establish a major Federal commitment to overcome the devastating human and fiscal costs of osteoporosis. The pain, suffering, immobility and deaths due to the fractures of weakened bones could be substantially reduced, and hopefully eventually eliminated through enhanced biomedical research and prevention and treatment programs. I believe that the legislation which I am introducing today provides a significant step toward these goals.

AMERICAN SAMOA GOV. PETER
TALI COLEMAN'S STATE OF THE
TERRITORY ADDRESS

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. LAGOMARSINO. Mr. Speaker, the Governor of American Samoa issued a moving state of the territory address last month in which he told of the many American Samoan men and women serving in the Persian Gulf. Once again, the people of American Samoa are demonstrating the same deep loyalty to the United States as they have since the American flag was raised in 1900.

I believe Gov. Peter Tali Coleman's state of the territory address reflects the commitment of the people of American Samoa to our 91-year-old relationship. There is no doubt this territorial relationship has developed into a closer one over the past nine decades and it is fitting for the relationship to be further strengthened given the steadfast loyalty of American Samoans.

It is also important to note the great strides in self-government that have been made in Samoa. As Governor Coleman's statement indicates, economic progress continues with a drive toward greater self-reliance and efficiency.

Although American Samoa lies in the Pacific south of the equator and is geographically a great distance from the United States, Governor Coleman's state of the territory reflects unquestionably the loyal and close nature of the United States-American Samoa Federal relationship.

Gov. Peter Tali Coleman's state of the territory address follows:

GOVERNOR'S STATE OF THE TERRITORY
ADDRESS, JANUARY 14, 1991.

President Letuli Toloa, members of the Senate, Speaker Tuana Itau Tuia, members of the House of Representatives, Lieutenant Governor Galea I and members of the executive branch, Chief Justice Kruse and the Judiciary, Congressman Eni Faleomavaega, District Governor Leiatu, Servant of God, ladies and gentlemen:

I come before you today less than 24 hours before the deadline expires set by the United Nations for Iraq to withdraw from Kuwait. So as the world waits nervously for the out-

come of that terrible problem in the Middle East, we are also confronted with daily news bringing us constant warnings of a shaky world economy. Although our islands may seem far away from these events, we cannot avoid being touched by them. As you may know, there are about 400 sons and daughters of Samoa now in the Persian Gulf, and the number grows daily. I guess that perhaps almost every family or village in American Samoa has a son, or a daughter or a relative now in the Persian Gulf. I therefore again respectfully ask each and everyone of us to please remember them in our daily prayers.

Just a week or two ago, I gathered with many of you in a special service (Sauniga Lotu) in Fatauaiga to pray for them. Video tapes of the service and the dedications of many parents and relatives have been sent to our sons and daughters in Saudi Arabia, and informing them of our strong and full support. This is a real crisis for you and all of us. But let us continue to pray for a peaceful and decisive resolution so that our young people can return home soon and safely. I am announcing a half-day working day tomorrow so that all of our government employees may join their families and churches for special prayers for the situation in the Persian Gulf.

But with our minds distracted by examples of self-interest, greed and aggression, let us not lose sight of the positive side of the human spirit. At a time when we are so aware of man's ability to destroy, let us remember man's ability to build. We must focus on the progress that can be made when men and women work together for the common good. We are fortunate this year here in American Samoa, to be surrounded by many fine examples of this kind of achievement.

1990 brought many frustrations and challenges to the people of American Samoa, but it also gave rise to many opportunities for our children in every school. The Samoan studies program was reviewed in an effort to assure that students are prepared to read and write in both English and Samoan. Remedial students were offered a second successful summer school program.

By executive order, the American Samoa Community College has taken significant steps toward establishing itself as an autonomous institution responsible for its own management as overseen by the president of the college and board of higher education. The planned assumption of full autonomy in the fall of this year will help separate the work of the college from politics and assure its continued accreditation. This year the college provided much needed educational services to over 1,200 students.

Quality of education and school facilities have long been the concerns to all of us. Hurricane Ofa destroyed many classrooms and other school facilities, but thanks to the decision of the Fono last year to restructure our taxes to generate much needed additional revenues. As you know, part of the revenues from the 5% excise tax will go to rebuilding of the school buildings and classrooms. We also received a grant of \$1.2 million from DOI to assist with the school rebuilding program. We are presenting an amendment to clarify the language of the 5% tax for a more fair application.

The Department of Education has established firm programs to raise the standard of teachers. Teacher certification policy has been established, and for the very first time, a graduated salary scale is in place to truly reflect the academic background and teacher performance.

Together with the community college, the American Samoa teacher education program

is designed to upgrade teaching skills and acquire more and new knowledge pursuing higher certification levels.

Our vision for the youth of American Samoa looks beyond their formal education. Those who participated in the last year's summit on education reminded us that the education of our youth is the responsibility not just of our schools, but of the entire community. To that end, I have established the position of coordinator of youth development programs in my office. The youth officer will take the responsibility of working together with all youth organizations in the territory with the goals of improving themselves and their chances for the future.

There is much to be concerned about in 1991, many things and countless individuals and businesses have received cash or loans to make needed repairs. These new buildings stand as symbols of the good which comes of a well-coordinated, team effort.

The Fono can be credited with providing funds last year for a systematic refurbishing of our school facilities, and the required funds to supplement FEMA's recovery efforts. In 1992 when the funds for these programs have been collected, the excise tax will be reduced to 3 percent, and these monies will go far in our efforts to reduce our deficit and provide continued needed services to our people.

The cost cutting measures within the executive branch including our efforts to monitor hiring, purchasing and travel expenses have been successful. Port revenues increased dramatically in 1990, and will increase further this year.

Even though financial woes and of a recovery dominate our memories of 1990. They have not dimmed our vision for the future of the territory. 1991 is marked by the coming together of many projects designed to build a foundation for a safe and prosperous tomorrow.

This year, we begin to take great strides to improve transportation services, both to improve opportunities for business and industry and for the convenience and safety for our people. Repairs to the terminal warehouse and container storage area on the dock have been completed. We have also completed construction of two environmentally sound gasoline storage tanks, the reconditioning of jet fuel storage tanks, and the start of construction of new facilities for storing diesel fuel at the tank farm.

In efforts to improve personal transportation services, the Fitiuta Airport runway was dedicated last August, making it safer to fly between Tutuila and Manu'a and bidding to complete the road from Ta'u to Fitiuta is underway.

Today, I am happy to announce that ASG has obtained an "LCU" vessel, completely overhauled and brand new shaft installed. This vessel, being named SFC. Konelio Pele, will be used by the government for work in Manu'a and Swains Island. She can carry both passengers and heavy cargo. The LCU can be put into full use upon arrival here hopefully by March this year.

A \$3.5 million capital improvement allocation to the American Samoa Power Authority [ASPA] has been granted to begin its 5-year plan of improvements to our electrical power and water systems. The Pala Lagoon [waste water] system, Utulei Ocean outfall project and Pago Pago Harbor sewer system rehabilitation project have been completed at a cost of over \$8.7 million. Other major projects for ASPA this year include: a new distribution feeder in Tafuna; Computer mapping and CAD system; screener for gov-

ernment surplus items, Tafuna plains sewer collection system; water systems for AOA, Aunuu, and Masefau, and solutions to the Ta'u salty water problem.

In a move for a more economic approach to the use of energy, a new sun-energy powered communication system will be installed in Swains Island, and a similar one in Ofu. Manu'a to improve TV reception in that area. To assist with our efforts to control costs, I plan to propose legislation to create the American Samoa Energy Commission.

We are planning renovation of the terminals at Pago Pago International Airport including the main concourse and restroom facilities.

Additionally, phase 1 of the Onenoa Road has been completed, upgrading of the village road in Fagaalu, Tafuna sidewalk, installation of new underground communication lines in Utulei, construction of the new guest fare at the airport have been completed.

As you can see around the territory, the efforts of parks & recreation and tourism are noted in trying to keep Samoa clean. The Onesosopo Park is now enjoyed by the children and residents of the east side of the island. Lions Park in Tafuna damaged by Ofa has been repaired and now in use. There will also be a new park near that area that should be completed this month. Park and basketball court for the children's playground in Amanave will also be completed this month.

Public safety has put more officers on patrol. A joint effort by our government, DOI and the United States Coast Guard Marine Enforcement Program has been implemented, and the Disaster Emergency Operations Center has been completed. We need however to improve our fire fighting capabilities by providing better equipment and facilities. I look to the Fono for your help in this respect.

For 1991, we plan to construct 2-story classroom buildings on 4 elementary school sites at: Siliaga, Pavaia'i, Alataua Lua and Tafuna. We also plan to build a new special education facility at Matafao Elementary School, a new fire station in Tafuna, and new medical clinics in Leone and Mapusaga.

Government facilities slated for repairs include offices and warehouses, phase 2 of the Onenoa Road, seawalls to augment the American Samoa Shore Protection Program, work on Faleasao Harbor, and upgrading the road to Fagasa.

Work on the re-roofing of the hospital in Fagaalu is also scheduled for completion this year. A new small resting room is to be built this month adjacent to the hospital in that area to provide our dialysis patients room to rest prior and after their treatment.

We should also begin to think seriously about building a new hospital. The facility now in Fagaalu has grown old and most of it too expensive for proper repairs. There is nothing more important to all of us than the health of our people. Providing a good health facility with good doctors and good nurses should be a priority with all of us, certainly, a priority in this administration. We shall begin to work on this project in the very near future. Meanwhile, a new hospital authority has been established to conform with Federal requirements.

A federally funded, youth sports center is planned for construction at the Pago Pago Park. We take pride in the abilities of our youths to compete in various sports activities locally and in the national level. We witness that fact every weekend watching college and professional sports, particularly football. Samoans stand out in several col-

lege and professional teams. Providing this new sports facility will go a long way in helping our youths achieve their goals and making their dreams come true.

A vision of the future which provides for development, must also provide protection for our environment. Our health and prosperity depend on our ability to protect our natural resources. This year, we have established the clean water standards for Pago Pago Harbor designed to clean up the pollution in our waters, and are currently working with the canneries to plan construction of a pipeline which will ensure that the pollutants they produce are deposited far from our shores. Meanwhile, wastes from the canneries are now being taken to an ocean dump site many miles away. A Waste Oil Management Program is planned for implementation in conjunction with our EPA, ASPA and the canneries.

The American Samoa Community College working with departments of development planning and marine and wildlife resources has completed a list of threatened and endangered species in American Samoa. Work is being done to establish a research station at the college. A complete alcohol and drug policy for the college has been established.

In 1991, we will begin construction of a new two-story marine and wildlife resources facility to replace the current building. The new facility will enable the office to provide even more reliable information and services to those who depend on our natural resources, and will improve the appearance of the harbor area.

This year, we will also begin three projects designed to further secure our contact with our historic past. Plans are currently being developed for restoration of the historic courthouse building in Fagatogo, and arrangements have been made for the donation of materials to repair the roof of the Hayden Museum which houses so many valuable documents and artifacts of local historical significance. Recently, we broke ground for the construction of a record center (archives) in Tafuna which will house records of personal and government affairs in order that they may be safely preserved for future generations. This is an important building for its purpose. It is vital that we properly maintain and preserve records of our territory and this government.

A new \$2.3 million main library is planned for construction this year. The seed money is provided by the Barstow Foundation and the Department of Education. The rest of the money will be provided by contributions from key corporations and the general public. The new library will be the major resource center of intellectual development for our people, particularly the youths.

In housing, the American Samoa Development Bank expended a total of \$3.8 million last year for housing, home improvements and new homes, business loans and business line of credit. Home improvement loans were increased to \$10,000 from \$5,000, and new home loans increased to \$75,000 from \$40,000.

To stimulate our local economy and basically to fund housing and to invest in our local private businesses and other important matters, the development bank is negotiating a \$50 million loan from American Express/Shearson Lehman Bros and International Capital Corp. Approximately 900 to 1,000 new homes for our people can be funded with this money. I do not have to tell you the dramatic, extensive and positive impact these new funds will bring to the economy of the territory.

For the very first time, the hotel realized a substantial profit last year and its cash po-

sition shows a balance of \$275,000. Several rooms have been refurbished and brought up to today's standards, and a new professional manager is being sought and should be in place in the near future. We look for better conditions and better things happening in the hotel this year.

No vision for the future is complete without plans for those who will live in the world we are working now to create those who will lead Samoa into the 21st century are the youths of today.

In thinking about our young people, we turn first to their education and to the work of those entrusted with their intellectual growth * * * their teachers. No other group has a greater impact on our future. This year, inspired by the many ideas and concerns shared at the Governor's territorial summit on education, the Department of Education has established a teacher career-ladder salary plan which provides incentives for teachers to pursue professional development and which rewards teachers based on their performance in the classroom. Supporting the career ladder is a system of teacher certification and training which includes the establishment of the first comprehensive teacher training program at the American Samoa Community College, and continuation of university programs to provide bachelor's and master's degrees to teachers. We have also instituted leadership training for school principals through the lead project.

The dedication of our local educators has meant improved opportunities for young people in every age group in our school system. This year for the very first time, kindergarten programs were available to people to experience what courage, faith, hard work and dedication can produce.

On the occasion of this opening of the 22nd legislature, which is also the mid-point of this administration, let me take this opportunity to reflect on and celebrate our achievements, and to set a course for continued progress toward our vision of the future.

1990 began with the territory mired in a financial crisis, which was soon after, complicated by Hurricane Ofa. I do not need to remind you of the extent of damages the winds and rain brought with them. But I would like to focus your attention on our recovery efforts.

In just days and weeks following OPA, the people of this territory pulled together to rebuild, neighbor helping neighbor. They were assisted in their rebuilding efforts by government departments committed to serving the people in their time of need. None of us should forget the tremendous efforts of ASPA and communications crews who worked day and night to see that power, water and telephone services were quickly restored. We must acknowledge the work of the Department of Public Works in attending to emergency repairs, public safety in providing necessary order, tourism and parks and recreation helping out with general clean-up, and the American Samoa Community College Land Grant Program and the Department of Agriculture for their support of efforts to restore our crops and other agricultural resources. The Office of Treasury worked with FEMA to see that the recovery of personal losses and the rebuilding of homes and businesses could begin promptly. Working along with others from the Office of the Attorney General, they have recently negotiated the insurance settlement of \$14 million plus which will make possible the reconstruction and repair of many government properties and facilities.

We must also recognize the work and efforts of public works and ASPA workers who went to western Samoa and assisted our brothers and sisters there in restoring power to rural areas following OPA.

To date, construction has begun or been completed on 828 new homes. But there is also hope and progress all around us of which we must not lose sight. I see signs in American Samoa's present that makes me confident about our future. So, although OPA brought vast devastations to our islands, it also brought blessings to many of our residents. We see many new homes already completed, and most people have done the necessary repairs to their homes and dwellings.

Just last week, I was fortunate to join in the celebration of the graduation of Dr. Annie Fuavai, from medical school in Fiji. Dr. Fuavai, locally educated, has chosen to return home to serve the people of American Samoa as a surgeon. She is an example for us to see that all young people of American Samoa have access to the opportunities Annie has enjoyed, and that we continue to move forward to provide a prosperous future for all, and to make it easier for our children to make their dreams come true.

Finally, let me turn to our political future. Much was written about the political future following the annual meeting of the Pacific Basin Development Council (Governors) which was held here in November. Let me assure you that the opening of talks with Washington to discuss a new relationship which I called for, does not signal any fundamental change in our way of life. Terms such as Commonwealth or Free Association do not have precise legal meanings in the United States system. Every political subdivision, whatever it may be called, falls into one of two categories: Either it is a State or it is not a State. We have lived proudly under the American flag for almost 91 years in the latter category and I judge that it is the overwhelming sentiment of our people that we continue to do so. But that does not mean we cannot improve our relationship with America even though ours has succeeded where many blendings of cultures have failed. That is because our relationship was established in 1900 on the basis of mutual respect for customs and cultural differences and that concept has been honored by succeeding generations.

The most important contrast is our land tenure system which differs drastically from the prevailing system most everywhere else in the United States. Although our nearly century-old treaty continues to be our basic document of association, for some time, I have been concerned that the institutional arrangements with Washington developed over the years to carry out the treaty have become outmoded and are out of step with the times. In an era where self-government and self-determination have become watchwords around the world, the time has come for our leaders and our people to examine whether a secretarial order of the Department of Interior provides sufficient protection for our land and culture and security for our relationship with the United States. I, for one, have serious doubts that it does. I also doubt whether Congress is a better substitute for that matter.

Any new arrangement must provide for permanent protection of our land and preservation of our culture and FAA-Samoa while strengthening our political position in the U.S. family, maximizing our self-government and, if possible within the framework of the U.S. Constitution, provide U.S. citizenship to all our people. These are basic goals, my

basic objectives, whether it is called a commonwealth, a territory, or a freely associated state or something else is immaterial to me because it will still be called, American Samoa.

In preparation for full discussion with the people of the alternatives for our political future, I have asked the Fono leadership to work together with me in introducing a resolution in this session requesting the Secretary of the Interior through my office to authorize my appointing of a future political and constitutional review commission for this purpose with a broad mandate to look at all our options. In the meantime, I will be traveling to Washington shortly and will be meeting with the Secretary of Interior also to explain our intentions.

I know it is difficult for any of us to pay any tax. But the reality of the situation is that we in this government must provide the necessary and improved services to our people. We must provide the best we can for the education of our children and the protection of our island resources and environment. For all these and many more, we need money. We cannot continue to depend on Washington to provide for everything—with the impending war and the world shaky economy, we must look upon ourselves to share in the costs of providing these necessary services. These things are for our own benefit not for anyone else.

To the President and the distinguished Members of the Senate, I am resubmitting the name of Mrs. Mere Tuiasosopo Betham for confirmation as the first woman to fill the important position of Samoan associate judge. She has been bestowed by her family the Tulafale Matai title of Seuvaai, and it has been duly registered with the Office of the Territorial Registrar. I respectfully request of the Senate to confirm Tofa Seuvaai. Not only has she the qualifications for the position, her confirmation by the Senate will also show to the people our respect for the women of Samoa.

So, as you prepare now to undertake the many tasks before you in what should be a lively and, I am sure, productive session, let me congratulate your leadership on their recent elections, let me welcome back the returning Members of the House and Senate and let me express a special Talofa to all the new faipules who are taking their seats here for the first time to take part in the sacred trust called government. I stand ready to work together with all of you, so that together, we can provide the best we can for all our people and our children.

May God bless this Fono, may it legislate wisely, and may we all govern well and honestly for the good the people of Tutuila and Manua.

May God bless American Samoa, and
May God bless the United States of America.

SOIFUA.

THE INDIANA DUNES NATIONAL LAKESHORE ACCESS AND EN- HANCEMENT ACT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. VISCLOSKY. Mr. Speaker, today I introduce the Indiana Dunes National Lakeshore Access and Enhancement Act, a bill to recapture over 1,030 acres of Indiana's dunelands

for the people of the United States of America. The legislation, much smaller in scope than a similar bill passed by the House of Representatives in the last Congress, strikes a delicate balance between differing local interests and the needs of the National Park Service and the American public.

I began to formulate this legislation in December, 1988, due to my concern about the growing demands placed on the Indiana Dunes National Lakeshore. Park visitorship grew from 264,000 in 1977 to 1,791,902 in 1989. All signs indicate that this trend will continue. As visitor demand grows, internal and external challenges on the park also grow. These challenges must be met. The Indiana Dunes National Lakeshore Access and Enhancement Act addresses many of these challenges.

Throughout the process of drafting this bill, I have been in constant contact with community leaders, concerned individuals and property owners as well as local environmental groups. I am pleased that most of the controversy surrounding the legislation has dissipated as a result of compromise on the part of all involved. I do realize that a few contentious issues remain. I am committed to continue discussions as the bill moves through the legislative process.

The Indiana Dunes National Lakeshore is a park of serene beauty and recreation. Approximately 8 million people live within easy commuting distance of the park. It provides beaches, picnic areas, trails for biking and hiking, seasonal festivals and educational facilities for park visitors. Throughout the years, the Lakeshore has become an anchor for improving the quality of life in Northwest Indiana.

In a State where only 3 percent of all land is in public ownership, only a small percentage of land in each region is available for outdoor recreation. We must take great care of the public lands we have. The Indiana Dunes National Lakeshore Access and Enhancement Act does just that. It offers visitors a vast array of new opportunities and provides the park with additional room to maneuver. Now is the time to accept the challenges faced by this national park. For, as the National Lakeshore has improved the lives of park visitors and local residents, so too must we continue to improve the Lakeshore.

TRIBUTE TO ROBERT NESEN

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. GALLEGLY. Mr. Speaker, on March 12 one of the leading citizens of my district will be honored for his outstanding contributions to international friendship and to his own community.

Robert D. Nesen, who was an outstanding ambassador to Australia in the 1980's, will be honored by the Australian/American Society of Greater Los Angeles for his contributions to the international community and to the community in which he lives. Bob has been instrumental in the growth and prosperity of Ventura County for many decades, and has earned his

reputation as an elder statesman in our area. Mr. Speaker, I am proud to call Bob a friend.

In addition, the event will salute the strong bounds of friendship and cooperation that exist between Australia and America. As the economies of California and the entire United States become more intertwined with the nations of the Pacific Rim, it is important to note that friendship, and to resolve to maintain and strengthen those ties.

Furthermore, Mr. Speaker, the event will benefit Parkinson's disease research. Ambassador Nesen will be presented with the prestigious Path to Dignity Award by the American Parkinson Disease Association. Because of the valiant struggle that the Hon. MORRIS K. UDALL, one of this body's most respected members, has waged against this disease, Members of this House have an understanding of just how tragic and debilitating Parkinson's disease is. Fittingly, Mr. UDALL is a member of the event's honorary committee, and I know my colleagues join me in wishing him a speedy recovery from his recent injuries.

In conclusion, Mr. Speaker, I ask my colleagues to join me in saluting Bob Nesen for his many accomplishments, and in honoring the Australian/American Society of Greater Los Angeles for their role in promoting friendship and in their generous role in helping to fight Parkinson's disease.

TRIBUTE TO DR. M. PATON RYAN, R.S.M.

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in tribute to a friend of the greater Hartford, CT community who recently passed away. Dr. M. Paton Ryan, president of Saint Joseph College, was a friend to many—the college community, business and civic leaders, elected officials, and the Sisters of Mercy, the religious order to which she belonged.

The strength of her leadership was founded in the strength of the woman. Friends and colleagues remember her compassion, wit, confidence, intellect, vision, and her humanity. She knew great courage from her days in the halls of the male-dominated Yale University graduate school, to her most recent and challenging battle with cancer. Adversity seemed not to have been a part of Paton's vocabulary.

Paton was a friend and a colleague, she was ever the optimist, and she was dedicated to the ideals and principles for which she herself was best known and respected. She was described by her peers as "a hero, one of the most influential people," as "someone you could talk about anything with, from basketball to Shakespeare," and "to think of Mary Paton Ryan is to feel joy." Paton was modest, funny, engaging, tough—yet fair, gentle and most of all, an outstanding role model for the young women whom she lead as president of St. Joseph College.

I would like to share a thought which Paton held dear and was featured in the Outlook, the campus publication which carried the news of

her death: "Not even the deepest snows can hide the promise of new growth and longer days. The wellsprings of life flow fed by the beliefs shaping our lives; our love for families, friends and colleagues; our respect for all those who at every level generously serve in order to lead us toward a better world." Paton worked tirelessly in her commitment to a better world, and the greatest tribute we can offer to this dynamic woman who gave so much of herself to others, is to perpetuate her dreams of creating and sustaining a better life.

THE 200TH ANNIVERSARY OF PORTUGUESE DIPLOMATIC RELATIONS

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. RHODES. Mr. Speaker, during the recorded vote on Senate Joint Resolution 55 (H.J. Res. 100) on February 27, 1991, I was unavoidably absent.

Had I been present, I would have voted "yes" on the passage of Senate Joint Resolution 55 (H.J. Res. 100), which recognizes the 200th anniversary of Portuguese diplomatic relations with the United States, and further recognizes the continued strong friendship and cooperation between the people of the United States and Portugal.

HONORING DENNIS B. HART

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. MATSUI. Mr. Speaker, I am honored to rise today to bring to my colleague's attention the long and distinguished career of the Sacramento County Department of Social Services director, Dennis B. Hart.

Mr. Hart will be celebrating his retirement this evening after serving 10 years in the position of director of the Department of Social Services for Sacramento County, and 20 years of county government service prior to it. He has been in charge of over 1,000 employees in three separate positions and wisely allotted money to very important social programs throughout the State.

He worked his way up from a county probation officer in Los Angeles in 1961, to his present job as director of social services. Throughout his career, he has been active on national social welfare committees and the National Association of Counties. He has strived for efficiency in the welfare system by eliminating fraud and other abuses in each department he has been associated with. He has been in charge of large amounts of the taxpayers money, and spent it wisely.

Mr. Speaker, I know that my colleagues join me in honoring and thanking Dennis B. Hart for his valuable contributions to our society. We wish him well in his retirement.

OUTSTANDING AFRICAN-AMERICAN CHARLES R. PRUDHOMME, M.D. PSYCHIATRIST

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. DELLUMS. Mr. Speaker, I am pleased to place into the RECORD the following statement regarding an outstanding African-American, Charles R. Prudhomme, M.D., psychiatrist.

Dr. Prudhomme was one of the founders of the local D.C. Mental Health Association and developed the student mental health program at Howard University. He received the first Solomon Carter Fuller Award in the early 1970's. His contributions to psychiatry were also formally recognized by the psychiatry/neurology section of the National Medical Association. In addition to his service as an officer of the APA, he was a member of the ethics committee, black psychiatrists task force, and committee on public policy.

A native of Opelousas, LA, Dr. Prudhomme spent his childhood in Kansas City, MO. Often a victim of racial discrimination, he devoted a significant amount of his time and energy to working toward the elimination of racist practices during his professional career. He often recalled the meeting he had with President Harry S. Truman, along with other African-American leaders, about segregation of the Veterans' Administration. The following day President Truman desegregated the VA hospitals by Executive order.

He was the first African-American to be elected to a national office of the American Psychiatric Association, he served as vice president, 1970-71. In 1985 he was presented with the Distinguished Service Award at the APA annual meeting. The nominating committee, which selected Dr. Prudhomme for this award, reported that his "distinguished service to the APA and American psychiatry is a reflection of a medical career dedicated to the pursuit of excellence in patient care." He is remembered by a number of distinguished firsts. In 1952 he became the first African-American psychiatrist appointed—by the chief justice of the U.S. district courts—to the Mental Health Commission, serving to review the involuntary hospitalization of the mentally ill in the District of Columbia. He was the first psychiatrist to be associated with the Peace Corps project.

A little known fact is that Dr. Prudhomme once played professional baseball. He was known as an excellent pitcher for the Kansas City Monarchs—the same team on which the late Satchel Paige played before desegregation of baseball.

Mr. Speaker, it is my pleasure to bring this information to the attention of my colleagues regarding this outstanding African-American during Black History Month.

INTRODUCTION OF TERRY BICYCLE BILL

HON. LOUISE M. SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Ms. SLAUGHTER of New York. Mr. Speaker, I rise today to introduce legislation to amend the Harmonized Tariff Schedule of the United States to change the rate of duty for certain bicycles. This legislation will bring the duties on bicycles designed specifically for women into line with other bicycles.

As noted in a recent ITC study, the average woman has longer legs, a shorter torso, shorter arms and smaller hands than the average man. The average height is also different for men and women. Consequently, the specifications for bicycles designed to accommodate women cyclists are different, particularly regarding tire size. Such bicycles, designed by Terry Bicycle of Macedon, NY, use a 24-inch front wheel and a 27-inch rear wheel to specifically accommodate the physiological needs of women. Many dealers nationwide have endorsed this bicycle as one of superior design for adult women.

Despite the fact that these bicycles do not differ significantly in any other way from other lightweight bikes, the bicycles are classified differently for tariff purposes. Because of the mixed wheel size, these bicycles are covered under a separate tariff classification (8712.00.40.00.4—"Other Bicycles") and are subject to a 15 percent duty rate. The bicycles with which these compete, with wheels of similar size, fall under a tariff classification (8712.00.20.00.8) which entails a 5.5 percent duty rate.

Because of the disparate wheel size of these lightweight bikes designed to accommodate women's body type, Terry Bicycles has had to pay a higher duty rate. In other words, because these bikes are designed specifically for women, they don't qualify for normal duty treatment. I see no justification for this arbitrary differentiation, and neither do several competitors of Terry Bicycles. Domestic bicycle producers such as Schwinn, Cannondale, and Trek have all stated that there should be no reason to oppose this bill. In addition, the National Organization of Women has expressed its support for this legislation.

The present classification of these bicycles clearly represents discrimination. My legislation seeks to reverse this inequity and allow equal access for female consumers in this market. In the interests of fairness, I urge the adoption of this bill.

LEGISLATION TO PUT UNEMPLOYMENT INSURANCE PROGRAM BACK ON THE ROAD TO HEALTH

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. LEVIN of Michigan. Mr. Speaker, I rise today to introduce legislation with Mr. PEASE of Ohio to put our Unemployment Insurance Program back on the road to health.

Every day brings more bad news about the condition of our UI Program. It only covers one-third of the unemployed in America today. There are great disparities from State to State in the amount of benefits that workers receive, and those benefits are only a small fraction of their previous income. The Extended Benefits Program, designed to help our long-term unemployed, is rarely used because of arcane and unfair trigger mechanisms.

But one critical problem must be addressed before we can move on to a much-needed overhaul of the UI Program: The shortfalls in administrative funding that plague the UI system today.

I'm sure many of my colleagues had a chance over the recess to witness firsthand the anguish and frustration of workers who have had to wait endlessly for their benefit checks to arrive.

The unemployed workers I've spoken to don't understand why a program specifically designed to provide replacement income during a recession is failing them. What they do understand all too clearly are the consequences of that broken promise: Time spent idling in unemployment lines, bills unpaid, job searches delayed.

Quite frankly, Mr. Speaker, I share their bewilderment. These workers have run afoul of a UI Program in distress, unequipped to handle the increases in caseload. And why is that? Not because of a failure to provide for the necessary resources—there is more than enough money in the UI trust fund account for administrative services.

The real problem is that the integrity of our UI Program is in jeopardy because the Federal Government has shirked its responsibility to provide to the States administrative funding for the program. We have shortchanged the States on administrative funding in order to make the deficit look smaller. This is federalism—whether old or new—turned on its head.

It is simply unfair to play budget politics with the welfare of the American worker. That is why Mr. PEASE and I are introducing legislation today to solve once and for all the problem of administrative funding shortfalls.

Our proposal changes the budgetary treatment of UI administrative funding for UI from a discretionary appropriation to an appropriated entitlement, or mandatory spending program. The proposal also establishes a contingency reserve fund to ensure that States are quickly and efficiently compensated for any unanticipated increases in unemployment.

Unemployment insurance is the only State-administered entitlement program not to have mandatory administrative financing. It makes no sense that food stamp recipients and Medicaid beneficiaries receive their checks on time but unemployed workers must stand in line because the Federal Government refuses to provide adequate funding. It's especially outrageous because UI is the only major State-administered entitlement funded through a tax collected specifically for State administrative needs.

I hope my colleagues will carefully consider our proposal. I think it takes the steps necessary to put the insurance back in "unemployment insurance." I look forward to working with all Members of this House, and anyone

else who is interested, to fix this problem for good.

Then we can get on with the important task of reforming our UI Program to make it more responsive to the needs of our workers and our businesses.

Mr. Speaker, I ask that the text of the bill be inserted in the RECORD at this point:

UNEMPLOYMENT INSURANCE ADMINISTRATIVE FINANCING REFORM ACT

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Unemployment Insurance Administrative Financing Reform Act".

SEC. 2. GRANTS TO STATES FOR ADMINISTRATIVE FINANCING.

(a) IN GENERAL.—Section 301 of the Social Security Act is amended to read as follows:

"PAYMENTS TO STATES

"SEC. 301. (a) IN GENERAL.—Each State shall be entitled to payment under this title for each fiscal year in an amount equal to its allotment of the aggregate amount determined under subsection (b) for such fiscal year, to be used for the purposes of assisting the State in the administration of its unemployment compensation laws (including administration pursuant to agreements under any Federal unemployment compensation law).

"(b) AGGREGATE ANNUAL PAYMENT.—

"(1) IN GENERAL.—Subject to subsection (d), the aggregate amount of payments to which the States are entitled under this title for any fiscal year shall be the sum of—

"(A) the basic unemployment insurance service grant,

"(B) the anticipated additional workload grant, and

"(C) the unanticipated additional workload grant.

"(2) GRANT AMOUNTS.—For purposes of paragraph (1), the grant amounts for fiscal year 1992 shall be—

"(A) for the basic unemployment insurance service grant, \$2,160,000,000 annually,

"(B) for the anticipated additional workload grant, an annual amount equal to the amount determined by multiplying—

"(i) \$300, by

"(ii) the number by which the average weekly insured unemployment is projected to exceed 2,000,000 during such fiscal year, as estimated in the budget submitted by the President to the Congress for such fiscal year and in any subsequent revision of such projection submitted by the President to the Congress prior to the beginning of such fiscal year, and

"(C) for the unanticipated additional workload grant, a quarterly amount equal to the amount determined by multiplying—

"(i) \$75, by

"(ii) the number by which the average weekly insured unemployment during the most recent 3-month period for which data is available preceding the calendar quarter exceeds the projected excess applicable under subparagraph (b)(i), as determined by the Secretary of Labor on the basis of the reports made by the State agencies to the Secretary.

"(3) AVERAGE WEEKLY INSURED UNEMPLOYMENT.—For purposes of paragraph (2), the term 'average weekly insured unemployment' means the average weekly number of individuals filing claims for regular or extended unemployment compensation for weeks of unemployment with respect to the applicable period.

"(4) INFLATION ADJUSTMENTS.—"

"(A) IN GENERAL.—In the case of fiscal year 1993 or any succeeding fiscal year, each amount contained in paragraph (2) shall be increased by the percentage determined under subparagraph (B) for such fiscal year.

"(B) DETERMINATION OF PERCENTAGE.—For purposes of subparagraph (A), the percentage determined under this subparagraph for any fiscal year is the percentage (if any) by which—

"(i) the applicable index for the most recent calendar year for which data is available, exceeds

"(ii) the applicable index for the base year.

"(C) APPLICABLE INDEX.—For purposes of subparagraph (B), the term 'applicable index' means—

"(i) in the case of the amounts contained in subparagraphs (A) and (B)(i) of paragraph (2), the aggregate civilian labor force (as determined by the Secretary of Labor), and

"(ii) in the case of the amounts contained in subparagraphs (B)(i) and (C)(i) of paragraph (2), the aggregate State employees wages (as determined by the Secretary of Labor on the basis of the most recent census data available).

"(D) BASE YEAR.—For purposes of subparagraph (B), the term 'base year' means—

"(i) calendar year 1990, in the case of the index described in subparagraph (C)(i), and

"(ii) calendar year 1989, in the case of the index described in subparagraph (C)(ii).

"(c) ALLOTMENT AND USE OF PAYMENTS.—

"(1) IN GENERAL.—Of the aggregate annual payment for any fiscal year under subsection (b)—

"(A) the basic unemployment insurance service grant amount shall be allotted to the States in accordance with the criteria set forth in section 302 and shall be used by such States for assisting in the administration of their unemployment compensation laws (including administration pursuant to agreements under any Federal unemployment compensation law), and

"(B) the anticipated additional workload grant and unanticipated additional workload grant amounts shall be allotted on a quarterly basis to the States in accordance with the criteria set forth in section 302 and shall be used by such States for assisting in the administration of their unemployment compensation laws (including administration pursuant to agreements under any Federal unemployment compensation law).

"(2) OBLIGATION OF FUNDS.—Any amount made available to a State under this section shall remain available to such State for obligation only during—

"(A) the 36-month period beginning on the date on which such amount is made available, in the case of amounts obligated for capital acquisitions, or

"(B) the 18-month period beginning on such date, in the case of amounts obligated for any other purpose.

"(d) ANNUAL FEDERAL RESERVE FROM STATE ALLOTMENTS.—The Secretary of Labor may reserve not more than 10 percent of the aggregate basic unemployment insurance service grant under subsection (b)(1)(A) for any fiscal year to carry out activities in support of the unemployment compensation system, including activities under sections 901(c)(1)(B), 906, 907, and 908."

(b) CONFORMING AMENDMENTS.—

(1) The heading of title III of such act is amended to read as follows:

"TITLE III—GRANTS TO STATES FOR EMPLOYMENT SECURITY ADMINISTRATION".

(2)(A) Section 302 of such Act is amended—

(i) in the last sentence of subsection (a), by striking "amount appropriated therefor" and inserting the following: "the sum of the basic unemployment insurance service grant, anticipated additional workload grant, and unanticipated additional workload grant amounts under section 301(b)(1)", and

(ii) in subsection (b), by striking "Out of the sums appropriated therefor, the" and inserting "The".

(B) The heading of section 302 of such act is amended to read as follows:

"ALLOTMENTS FOR UNEMPLOYMENT COMPENSATION ADMINISTRATION".

(3) Subparagraph (A) of section 901(c)(1) of such Act is amended in the matter preceding clause (i) by inserting "(or as are required under section 301)" after "appropriate".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning after September 30, 1991.

SEC. 3. REPORT ON METHOD OF ALLOCATION OF ADMINISTRATIVE FUNDS TO STATES.

(a) IN GENERAL.—The Secretary of Labor shall submit to the Congress, within the 12-month period beginning on the date of the enactment of this Act, a comprehensive report evaluating proposals for revising the method of allocating grants among the States under section 302 of the Social Security Act.

(b) SPECIFIC REQUIREMENTS.—The report required by subsection (a) shall include an evaluation of—

(1) the use of unemployment insurance workload levels as the primary factor in allocating grants among the States under section 302 of the Social Security Act,

(2) proposals for ensuring that each State receive not less than a minimum grant amount for each fiscal year,

(3) the use of nationally available objective data to determine the unemployment compensation administrative costs of each State, with consideration of legitimate cost differences among the States,

(4) proposals for the simplification of the method of allocating such grants among the States,

(5) proposals to eliminate the disincentives to productivity and inefficiency which exist in the current method of allocating such grants among the States,

(6) proposals for the promotion of innovation and cost-effective practices in the method of allocating such grants among the States, and

(7) the effect of each proposal on the grant amounts allocated to each State.

(c) CONGRESSIONAL REVIEW PERIOD.—The Secretary of Labor may not revise the method in effect on the date of the enactment of this Act for allocating grants among the States under section 302 of the Social Security Act, until after the expiration of the 6-month period beginning on the date on which the report required by subsection (a) is submitted to the Congress.

SEC. 4. TREATMENT OF UNEMPLOYMENT COMPENSATION PROGRAMS.

The following programs shall be exempt from any order issued under part C of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal year 1992 or any succeeding fiscal year:

(1) EXTENDED UNEMPLOYMENT COMPENSATION PROGRAM.—Payments to States under the Federal-State Extended Unemployment Compensation Act of 1970.

(2) EMPLOYMENT SECURITY ADMINISTRATION.—Payments to States under title III of the Social Security Act.

(3) RAILROAD UNEMPLOYMENT COMPENSATION PROGRAM.—Payments under the Railroad Unemployment Insurance Act.

THE PRESENTATION OF A NATIONAL SYMBOL OF SUPPORT FOR U.S. TROOPS STATIONED IN THE PERSIAN GULF

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. DUNCAN. Mr. Speaker, I would like to commend one of my constituents, Mrs. Ann Lamon, for the action she has taken to support our brave men and women who are stationed in the Middle East.

In a recent letter, Mrs. Lamon expressed to me her pride in our American troops, her prayerful hopes for peace in all the world, and her confidence in a victorious homecoming for the U.S. forces stationed in the Persian Gulf. Because of these feelings she has been inspired to design a flag that encompasses her sentiments, and perhaps those of all Americans who take pride in the principles of democracy and justice that our great country champions in the Middle East today. As Mrs. Lamon explains, "Our troops need the inspiration of a unified backing of the American people. They need to know that they will not be forgotten."

I am fortunate to have been one of the first recipients of this inspiring standard. Mrs. Lamon has offered her banner to me, to present to you today, as a national symbol of support for our troops. The flag design in red, white, blue, and yellow has a star for each State, a dove for peace, and a yellow ribbon representing our hopes for the speedy and safe return of our troops.

Mr. Speaker, and my colleagues in the House, join me today in applauding Mrs. Ann Lamon for her active role in support of our troops, and in recognizing Mrs. Lamon's flag as a national symbol of support for our American forces in the Middle East. Mrs. Lamon's sincere patriotism is to be commended and held up as an example for all to admire and strive to emulate.

THE LISTEN/GLOBAL RELEAF TREE PROGRAM

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. LEVINE of California. Mr. Speaker, I rise today to tell you about an exciting new venture begun recently by H. Alpert & Co. In conjunction with the American Forestry Association, H. Alpert & Co. has introduced the Listen/Global Releaf Tree Program.

Global Releaf is a campaign of the American Forestry Association whose major goal is to plant 100 million new oxygen giving, energy saving trees by 1992. "Listen" is a new fragrance by H. Alpert & Co. With any Listen purchase, Listen/Global Releaf will plant a tree in the name of the customer or name designated

by the customer. A commemorative certificate will be sent from the corporate office in Los Angeles for acknowledgement.

The Listen/Global Releaf "Plant a Tree" program is working with forestry agencies in all 50 States. As of this time they have planted over 1,000 trees through the American Forestry Association.

Mr. Speaker, I urge my colleagues to join me in wishing the best of luck to H. Alpert & Co. with their innovative project. I encourage others with the same entrepreneurial spirit to promote environmentally responsible ventures in cities all across the Nation.

BENJAMIN BURRELL HONORED

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. HORTON. Mr. Speaker, I rise today to direct the attention of this body to the accomplishments that have been made in furthering the cause of excellent management in the Federal Government. In particular, I would like to commend one individual who clearly has achieved excellence as a Federal Government manager. Mr. Benjamin Burrell, Director of the Facilities and Administrative Services Staff [FASS] in the Department of Justice, was recently awarded the Attorney General's Excellence in Management Award as well as one of the General Services Administration's Governmentwide awards for Excellence in Administration. An 18-year veteran of the Department of Justice, Mr. Burrell has increased the efficiency and reduced the cost of operations at the Department in a way which should make us proud and give us hope in these times of fiscal difficulty.

As the Director of FASS, a 250-person unit of the Department dedicated to space acquisition and facilities management, Mr. Burrell has accomplished things that have left his colleagues in awe. He spearheaded the consolidation of space for the Drug Enforcement Administration and the U.S. Marshall's Service into one building in Arlington; he oversaw the renovation of the Todd Building, which provided space for the Civil Division; he furthered the major government office space program—Facilities Program 2000—that he designed, developed, and negotiated among many parties and that will bring 2.3 million square feet of space to the Department; and he has assumed the pressing task of finding housing and space for the hundreds of new Department employees. Also, as Chairman of the Federal Administrative Managers Association, Mr. Burrell has had a pivotal role in, among other things, the beneficial reformulation of Department regulations concerning facilities and space.

We should all hope that managers like Benjamin Burrell are not rare in our Government. The kind of initiative, perseverance, sensitivity and intelligence that Mr. Burrell has shown in the area of facilities and administrative services is precisely what is needed to streamline the Government and reduce the deficit. This kind of work often goes unnoticed, and I am pleased that the Department of Justice and

the General Services Administration have recognized the great accomplishments of Mr. Burrell.

AWAITING A COUP

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. JACOBS. Mr. Speaker, now that we have Kuwait we need only wait for the coup.

TRIBUTE TO NORTH MIAMI VICE
MAYOR HOWARD PREMIER

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. LEHMAN of Florida. Mr. Speaker, city of North Miami Vice Mayor Howard Premier has made important contributions to his community during his tenure on the city council. His emphasis on neighborhood improvement, business development, and intergovernmental cooperation has paid big dividends in preparing North Miami for the challenges of the future.

A profile on Howard Premier recently appeared in the North Miami News, and I would like to share it with my colleagues:

[From the North Miami News, Feb. 22, 1991]

CITY OF NORTH MIAMI VICE MAYOR HOWARD PREMIER

(By James Burke)

City of North Miami Vice Mayor Howard Premier has never been one to take it easy. Starting his professional career as a reporter for WKAT, Premier became the station's news director by age 24; its part-owner by age 31. Today, along with WKAT, Premier owns WSUA, better known as Radio Suave, an all-Spanish radio station.

Owning and running two radio stations by the age of 38 requires someone with an intensity for their work not found in the average person. Premier admits he is an overachiever. "I need hobbies," Premier said.

Premier has demonstrated this same intensity as an elected official. Rather than use the position as a resume entry, Premier has actively pursued what he thought best for the city. Being vocal has not always made Premier the most popular guy in town, but criticism is something Premier is willing to live with.

"I think it's better to be criticized and be pro-active than to sit back and not come up with new ideas," Premier said.

Among the new ideas Premier has fought for was to allow police officers to bring their vehicles home with them. While this idea initially met with opposition, Premier argued that it would be an incentive to draw officers to the city and help unify the neighborhood the officers live in. Premier won.

Premier has been a strong proponent of improving the city's neighborhoods.

"Neighborhoods are where a city succeeds or fails, not city hall," Premier said.

To help give the neighborhoods a more active voice in city politics, Premier worked to create a program of town hall meetings. The city commission recently gave the program the go ahead.

Town hall meetings are a very important means of getting government out of city hall and back into the neighborhoods," Premier said. "The city needs to get out of city hall and into the neighborhoods to talk to people."

Premier has also succeeded in getting government back into the neighborhoods by working to standardize voting precincts within the city. While there are 16 voting precincts for county elections in North Miami, there were only five precincts for city elections. This discrepancy created confusion about where to vote in city elections, resulting in poor voter turnout.

"We increased the city's precincts to 16," Premier said. "Now for all elections, people vote in the same place."

Premier's work with the neighborhoods has not come at the expense of business. Premier has tried hard to make North Miami more inviting to the business community.

One of Premier's first actions was to create a new position within the city, business ombudsman. Premier explained that the mire of forms and red tape involved with starting a business can be a confusing experience.

"The business ombudsman takes you through the whole process," Premier said. "Now, instead of being frustrated, these people have the red carpet rolled out for them."

Premier has tried to make the city's operations more like a business. One of the practices Premier has been successful in carrying over from the private sector is networking.

"We've been doing more networking with cities, especially North Miami Beach. It's important to get along and look for common ground," Premier said.

These improved relations have resulted in a joint Fourth of July celebration between North Miami and North Miami Beach, among other things.

Relations with Florida International University have also been improved, Premier said, but more should be done.

"F.I.U. may be the single most important asset this city has," Premier said. "We need to do more to promote that."

The accomplishment Premier is most proud of, however, is the progress made on cleaning up Interama. For the first time in the city's history, Premier said, there is a plan to clean up the 300 acre site.

"No one is completely happy with the plan, so there must be something right with it" Premier said.

Premier called the process of getting federal, state, county, city and environmental representatives to sit down and work out a plan a "yeoman's effort", but said it was well worth it in order to forge ahead.

"This will be my legacy," Premier said.

For the city's future, Premier, said that North Miami should concentrate on aggressively attracting more business. Along with having many "hooks", like movie and recording facilities and a major university, the city has just past the 50,000 population mark making it eligible for valuable grants.

"I think in the 90s, North Miami can solicit and receive large businesses," Premier said.

While Premier has gone to lengths to insure North Miami's future, it may be a future without Premier. He said the task of running two businesses, coupled with the challenges he and wife Ilene face in raising their two young children, may no longer leave time for politics.

"The bottom line is community service is very difficult. I hope I've been a good public servant, but I don't know if I'll run again. What I do want to do," Premier said, "is make the most of the time I have left."

THE DESERT STORM RESERVIST
FAMILY FAIRNESS ACT OF 1991**HON. GERRY SIKORSKI**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. SIKORSKI. Mr. Speaker, today I am introducing the Desert Storm Reservist Family Fairness Act of 1991. While we are all joyful that the war is over, many of the family related problems raised by the war are not.

Many Reserve families have spent up to 6 months trying to make do with an income cut by 50 percent. Additionally, it has been reported that it could take longer to get all our troops home than it took to transport them to Saudi Arabia. Soldiers and their families could be facing another 6 months of employment uncertainties and financial hardships. Despite some rights accorded to them through the Soldiers' and Sailors' Civil Relief Act, bills and mortgages still need to be paid and clothes and food for the kids must be bought. The legislation I introduced today is intended to partially address those problems.

The Desert Storm Reservist Family Fairness Act is designed to ensure that the men and women in the Reserves and National Guard who have been activated because of the war in the Persian Gulf will be compensated fairly for the time they devoted in service to their country.

As a member of the Post Office and Civil Service Committee and chairman of the Subcommittee on the Civil Service, it has been brought to my attention that 1 out of every 10 National Guard or Reserve unit members is a Government worker. Therefore, I have drafted provisions to ensure that the activated Federal employees will continue to be granted the health benefits, life insurance, and all other benefits of Federal employment while participating in an activated reservist role in Operation Desert Storm.

Additionally, I have included provisions affecting members of the Senior Executive Service who are activated during the Persian Gulf conflict. These provisions extend the deadlines for meeting recertification times and extend Merit Systems Protection Board appeals rights that are required by the Ethics Reform Act of 1989.

Our soldiers have enough to worry about in the Persian Gulf—they should not be concerned about whether there will be food on the table and clothes for their kids they left behind. And the families have enough anxiety about the safety and security of their loved ones serving in the Persian Gulf—they should not have to worry about whether they will survive financially.

Our reservists have made the ultimate sacrifice by putting their lives on the line for our country; we should not ask their families to make the sacrifice of financial ruin.

EXTENSIONS OF REMARKS

ARTICLES OF INTEREST

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. LENT. Mr. Speaker, at the request of a constituent, Mr. J. James Plesser of Hicksville, NY, I am submitting the following two articles for insertion in the CONGRESSIONAL RECORD:

[From the Wall Street Journal, Feb. 15, 1991]

APPEASEMENT OF IRAQ MADE ME A SPY

In 1985, my son Jonathan Pollard pleaded guilty to providing Israel with information about the military capabilities of Arab states, including Iraq. Today he sits in a basement cell, in isolation 23 hours a day, serving a life sentence.

Jonathan was never accused of or indicted for treason, because he did not commit treason. He was indicted on one count—giving information to an ally, Israel. Abdel Kader Helmy, an Egyptian-American rocket scientist, participated in a scheme to illegally ship ballistic missile technology to Egypt—technology later used to help increase the range of Iraq's Scud-B missiles. Mr. Helmy got less than a four year sentence. Jonathan, who warned Israel about Iraq's capabilities, got life.

America is now fighting a war with Iraq, while the one person who tried to warn Israel about Iraqi threats sits in jail. In a 1989 letter excerpted below, Jonathan wrote to an American rabbi from his cell that America would have to go to war against Iraq if we failed to prevent the completion of chemical facilities that we knew were under construction. How right he was.—Morris Pollard.

DEAR RABBI: My name is Jonathan Pollard and I am currently serving a life sentence due to my activities on behalf of Israel.

Lest you labor under a false impression, Rabbi, I want to state quite categorically that I do not consider myself to be above the law. I fully appreciate the fact that I must be punished for my activities, however justified I may have felt them to be. That being said, I do not believe that the draconian sentence meted out to me was in any way commensurate with the crime which I committed. Nowhere in my indictment . . . was I ever described as a "traitor," which is hardly a surprise given the fact that the operation with which I was associated actually served to strengthen America's long-term security interests in the Middle East.

Notwithstanding [then Defense Secretary Caspar] Weinberger's disingenuous opinion, any objective examination of the record will show that no American agent, facility or program was compromised as a result of my actions—not one. But this salient fact was conveniently overlooked by Mr. Weinberger, who felt that I deserved the death penalty for having had the audacity to make Israel "too strong."

In retrospect, perhaps one of the worst things the Reagan administration did to Israel during the course of our trial was that it purposely distorted the nature of my activities in such a way so as to leave the impression that Israel had somehow become a threat to the national security of this country. So by intent the subsequent sentence I received was an arrow aimed directly at the heart of the U.S.-Israel "special relationship."

The case of Mr. and Mrs. Abdel Kader Helmy appears to be yet another instance where the political aspects of an espionage

trial have been of paramount concern to the government. As you'll recall, the Helmys are the Egyptian-born U.S. citizens who were accused last year of funneling highly sensitive ballistic missile technology to their native land. At the time of his arrest on June 24, 1988, [Mr.] Helmy was a senior propulsion engineer who held a "secret" level security clearance from the U.S. Department of Defense. Accordingly to a 36-page affidavit filed by the Customs Service . . . U.S. customs agents searching [Mr.] Helmy's trash found handwritten notes outlining how to work with carbon-carbon fiber material, used in rocket nose cones and "stealth" aircraft . . . instructions on building rocket exhaust nozzles; a description on an extremely sensitive microwave telemetry antenna; and a complete package needed to build or upgrade a tactical missile system.

Although there is no public evidence linking [Mr.] Helmy directly with the Iraqis, intelligence sources have indicated that the Egyptians used [Mr.] Helmy's expertise to help Baghdad modify its stockpile of Soviet-supplied Scud-B ballistic rockets. His principal responsibility, however, was to ensure the success of an Egyptian-Iraqi missile program which had encountered some developmental problems. Code named BADR 2000 by the Egyptians and SAAD-16 by the Iraqis, this Argentine-designed weapon has an estimated range of 500-1,000 miles, and, from what I've been told, figures prominently in Arab strategic planning against Israel.

If one compares the way in which the government responded to my affair with that of its soft peddling of the Helmy case, the existence of a double standard becomes apparent. Firstly, at the insistence of the State and Defense Departments, all espionage-related charges against Mr. and Mrs. Helmy have been quietly dropped . . . [The administration has done everything it can to reduce the notoriety of the Helmy affair.]

The problem . . . lay in the fact that many of the photos I turned over to the Israelis were of a number of Iraqi chemical weapons manufacturing plants which the Reagan administration did not want to admit existed. Why? Well, if no one knew about these facilities then the State and Defense Departments would have been spared the embarrassing task of confronting Iraq over its violation of the Geneva Protocol of 1925, which banned the use of chemical weapons in war. You have to remember . . . that at the time of my sentencing the massacre of Kurdish civilians in Halabja had not yet occurred, and what little public concern was being voiced over Iraq's apparent use of poison gas was largely ignored by the administration, which did not want to anger the Arab world by criticizing the employment of such barbaric weapons against Iran. The photos I gave Israel, though, if "compromised," would have jeopardized the administration's policy of callous indifference towards this issue, in that they constituted hard, irrefutable proof that Iraq was indeed engaged in the production and wide scale use of chemical weapons. What the administration was really concerned about was being placed in a position where it would have to admit that it had tacitly condoned the creation of an Iraqi chemical weapons manufacturing capability.

Once the atrocity at Halabja had occurred, though, the White House was placed in a rather awkward position. On the one hand, the U.S. intelligence community did not want to be accused of having failed to keep an eye on Iraq's burgeoning chemical weapons arsenal. Then again the CIA . . . could not very well confirm the existence of the

Iraqi poison gas plants without running the risk of compromising the Reagan administration's policy towards these facilities.

After a few days of "soul searching," the State Department finally admitted that the U.S. had intercepted some Iraqi military communications which indicated that lethal gas had, in fact, been employed against unarmed Kurdish civilians. The Iraqis had astutely outmaneuvered them, though, and the issue had to be "contained" before it caused a rift in U.S.-Arab relations. Certainly, confirming the undeniable operational employment of chemical munitions by the Iraqis was far preferable to describing the exact dimension of their poison gas plants, which would have raised some uncomfortable questions in Capitol Hill . . .

Thus, in an attempt to recapture the moral "high ground," so to speak, from Iran, the White House evidently decided that it would be better for the U.S. to be seen as leading the public denunciation of Iraq rather than the Ayatollah Khomeini. As it was, though, the administration still managed to salvage its standing in the Arab world by preventing Congress from imposing any punitive sanctions against Iraq. In essence, then, what I did by passing satellite photos of the Iraqi poison gas plants to Israel was endanger the Reagan administration's pro-Saudi political agenda, not the intelligence community's "sources and methods."

According to the prosecution, there were two reasons why the government refused to tell Israel about Iraq's poison gas plants: 1) fear of compromising the KH-11 [intelligence] system, and 2) concern over the Israelis' probable reaction once they recognized the threat these facilities posed to their survival.

What the Israelis would actually have considered was a *preventive* attack on the Iraqi chemical-arms factories before they had become fully operational. Once they had come on-line, you see, and the Iraqis had been able to disperse their arsenal of chemical munitions, these plants, like the ones in Syria, would only have been attacked either in war time, where the idea of a preemptive strike is valid, or in a clandestine sabotage campaign aimed at slowing their production of poisons. This was the same reasoning, by the way, that lay behind the Reagan administration's desire to bomb the Rabta industrial complex before the Libyans had the opportunity to complete its construction.

The crisis over the Rabta plant does beg the question, though: If the Reagan administration felt justified in its desire to eliminate what it perceived to be an impending Libyan chemical threat to our national security, why was it so unwilling to grant Israel the same right of preventive self-defense with regard to Iraq's poison gas manufacturing facilities?

So what was I supposed to do? Let Israel fend for herself? If you think that is what I should have done, then how can we condemn all those . . . who during the Second World War consciously participated in the abandonment of European Jewry? Seriously, Rabbi, what would be the difference between what they did and a decision on my part to have kept silent about the Iraqi poison gas threat to Israel? I'd rather be rotting in prison than sitting shiva for the hundreds of thousands of Israelis who could have died because of my cowardice.

JONATHAN POLLARD.

[From the New York Times Forum, Feb. 17, 1991]

COMPUTERS, AND A SEALED ROOM IN ISRAEL

(By Brian Silver)

[Brian Silver, a professor of chemistry, is vice president and director of development at the Technion-Israel Institute of Technology in Haifa, Israel.]

Tonight I am setting in a sealed room in Haifa, Israel, thinking about the Department of Commerce in Washington. I hope the plastic sheets that cover the windows and the masking tape that seals the door of my room will hold back the as-yet-to-materialize clouds of nerve gas and toxins that Iraq's President Saddam Hussein has promised to send us.

This evening I heard the roar of Patriot missiles followed by a wall-shaking blast as a Scud disintegrated over a nearby wadi. The Scuds are not too accurate—plus or minus a couple of miles is considered fine. Not that the Iraqis lack high technology. They might even have access to a Cray supercomputer, something my university does not have—and why I am now mulling the Commerce Department.

Despite our attempts to purchase one, no Israeli university has a Cray supercomputer, a common resource in American and European universities.

Two years ago, the Technion Institute ordered from Cray Research Inc. a lower-range supercomputer, an extremely fast computer for use in unclassified academic research. The United States has so far refused to give Cray an export license.

In September 1989, in search of enlightenment, I traveled to Washington to find out what was holding up the process. I walked the corridors of power—the State Department, the Department of Defense, the Department of Commerce and finally the Pentagon. Everyone, I must say, was very nice.

"Can the Technion buy a Cray?" I would ask. No one said, "Yes." No one said, "No."

One exchange at the Department of Commerce stands out in my mind: I said to a senior official that I could explain why it would not be a danger to the United States if Technion owned a Cray. "Can you give me 10 minutes?" I asked.

"That's the time it takes for a Jericho missile to get from Israel to Baghdad," the senior official said, referring to a surface-to-surface missile designed and built in Israel.

Perhaps it is. But only now can I savor the full answer I gave: "The return journey takes about the same time." The content of this conversation was significant, and becomes more so with each Scud attack.

I am not sure that I can estimate what mixture of political and technological considerations lie behind America's refusal to sell Israel a technology that is advanced—but not that advanced. My overall impression is of a rambling bureaucracy in which the decision-making process has—either deliberately or mistakenly—become divorced from the real world.

After all, the international community was prepared to create a \$50 billion Iraqi war machine. But a lower-range Cray for Israel? Heaven forbid! That might be a threat to world peace.

The subliminal message I received in Washington was that someone in Israel—sometime—could tap into a Cray and design a doomsday weapon, or, at the very least, a more accurate guided missile. And all this with a computer only three or four times more powerful than the one we have on our campus.

Until recently, only the United States and Japan built supercomputers, and they have had a very cozy agreement: If the United States doesn't sell to a given country, neither does Japan.

But this duopoly is coming apart. A new kind of computer is taking over. While a Cray has just a few very complicated and very powerful central processing units, the newer computers, called parallel-processing computers, have as many as a thousand very simple processors. The Cray is difficult to construct, the parallel-processing computer is far easier. The idea behind parallel machines is that seven 70-pound weaklings can lift more than one Arnold Schwarzenegger.

Parallel-processing technology is already being used by companies around the world. The main difficulties involved in building these computers fall within the areas of computer science where Technion has real expertise. Some of the world's best minds working on these problems work at Technion. The nation that got a rescue force to Entebbe and back can build parallel computers as good as any—if it has to.

Israel doesn't need a supercomputer at Technion to defend itself. Nor would owning a supercomputer turn Israel into a superpower. We want a supercomputer for unclassified research. The atomic bomb that leveled Hiroshima was built in precomputer times. If we have a nuclear bomb, we built it without a supercomputer. If we haven't got one, we don't need a supercomputer to make one.

It has been suggested by a certain authority in the United States—a Senator—that we could make more accurate missiles if we had a Cray. Indeed, would they be more accurate than the ones we used 10 years ago to destroy an Iraqi nuclear reactor? Or is it ground-to-ground missiles that worry the Senator? He should come to Tel Aviv. Then I can tell him that if a hundred Scuds land there, their inaccuracy won't matter one bit.

The time is long overdue for the United States to review its policy regarding the export of technology, especially to friendly, technologically advanced countries like Israel. The restrictive policies are clearly the product of faulty thinking which in the case of the Cray may well push Israel—and some other countries—into building their own supercomputers. The policy is not only bad for Israel, it is bad for the United States.

Finally, a question which to some may seem irrelevant, but to me, wearing my gas mask, sitting in my sealed room, seems worth an answer: Which country in the Middle East has turned out to be the United States' best friend in the Gulf crisis? Who exactly, is threatening whom?

A TRIBUTE TO DOUGLAS H. DITTRICK

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mrs. ROUKEMA. Mr. Speaker, Saturday, March 2, 1991, the friends and supporters of the Northwest Bergen/Ramapo Valley Chapter, the Essex Chapter, and the Central Bergen Chapter of the American Red Cross will pause to salute the volunteers that have built these chapters into the effective organizations that they are today. I would like to call to the attention of my colleagues one of these honorees, Douglas H. Dittrick.

Doug Dittrick has distinguished himself as a pioneer in his 25 years in the cable television industry. From his beginnings in 1966 as a manager of operations for General Electric Cablevision, Doug has excelled and advanced to become president and chief executive officer of Douglas Communications Corp., a company which he founded and which currently manages 3 cable systems that serve close to 76,000 subscribers. Doug has been recognized as a pioneer in his industry and is the recipient of numerous awards toward that end. However, he has always found time for both his family and his community.

Doug will be recognized this week for his service on the board of the Northwest Bergen/Ramapo Valley Chapter of the American Red Cross. He has previously served as treasurer of the executive board of Northern New Jersey. That, in itself, Mr. Speaker, is an accomplishment. However, Doug continues to find time for other endeavors. He has served on the executive board of the Ridgewood/Glen Rock Council of Boy Scouts from 1979 to 1982, receiving the "Good Scout of the Year" award in 1984. Doug also remains active in alumni activities as the president of the Ohio Wesleyan Alumni Association from where he was graduated in 1955.

Doug is a resident of my hometown of Ridgewood, NJ, and it is through our common service on the board of education and the board of trustees of the Family Counseling Services, as well as a personal friendship, that I have come to know and admire Doug, his wife Barbara, and their three daughters.

Mr. Speaker, success comes in many ways. But it is sweetest when it comes with the approval, the applause, and the rewards freely given by one's peers. And that is why the supporters of the Red Cross in northern New Jersey will gather this week to recognize Doug Dittrick. I ask my colleagues in the House to join in that recognition.

LONG-TERM CARE INSURANCE PLAN FROM IRA FUNDS

HON. J. ROY ROWLAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. ROWLAND. Mr. Speaker, today I am reintroducing legislation to allow individuals 59½ years of age and older to withdraw funds from individual retirement accounts, tax free, if the funds are applied to the purchase of long-term care insurance.

The measure includes income limitations to provide the maximum benefit to persons with incomes under \$45,000 a year and to phase out the tax benefit to anyone making more than \$100,000.

It also includes provisions to develop minimum standards for long-term care policies.

Mr. Speaker, this legislation is not the entire answer to the problem of providing long-term care to our older citizens who do not have the means to pay for it. But it is a step in the right direction. The financial burden for placing a family member in a nursing home can be devastating for elderly persons and their families. This bill will encourage many citizens to prepare for the day when they will need such care.

THE INAUGURAL EDITION OF "VITAL ISSUES: THE JOURNAL OF AFRICAN-AMERICAN SPEECHES"

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 1991

Mr. GRAY. Mr. Speaker, I would like to call to the attention of this body the publication of the inaugural edition of "Vital Issues: The Journal of African-American Speeches," which will be issued today by the Bethune DuBois

fund and Bethune DuBois Publications. The Bethune DuBois fund was established in 1986 by C. DeLores Tucker, former secretary of state of the Commonwealth of Pennsylvania who now serves as the fund's president.

This is the first journal of its type whose sole mission is preserving the oratorical record of African-Americans. Included in the inaugural edition are speeches by: Bishop John Hurst Adams, founder and chairman emeritus of the Congress of National Black Churches; Julian Bond, former State senator and professor of Civil Rights History; Ronald H. Brown, chairman, Democratic National Committee; Dr. Johnetta A. Cole, president of Spelman College; Marva N. Collins, founder of West Side Preparatory School in Chicago; Ronald V. Delums, House of Representatives CA 8th Congressional District; Hon. David N. Dinkins, mayor of New York; Dr. Ramona H. Edelin, president of the National Urban Coalition; Dr. Marian Wright Edelman, president, Children's Defense Fund; Earl G. Graves, publisher, Black Enterprise magazine; Dr. Benjamin Hooks, executive director, NAACP; Rev. Jesse L. Jackson, president and founder, the Rainbow Coalition and PUSH; John E. Jacob, president, National Urban League; Coretta Scott King, president, Martin Luther King, Jr. Center for Nonviolent Social Change; Leon Lynch, vice president, United Steelworkers of America; Nelson Mandela, deputy chairman, African National Congress; Gen. Colin L. Powell, Chairman, Joint Chiefs of Staff; Dr. Louis W. Sullivan, U.S. Secretary of Health and Human Services, and Hon. L. Douglas Wilder, Governor, Commonwealth of Virginia.

The objective of the journal, "Vital Issues: The Journal of African-American Speeches," is to present major speeches of African-American professional leaders and to preserve their spirit and voices for all generations to come. This publication will be a valuable resource for research and history of the issues that were confronted and perspectives taken by our leaders at the forefront of social change.

Please join me in paying tribute to this extraordinary new publication.